



SCOTTSDALE PLANNING COMMISSION
STUDY SESSION AGENDA
CITY HALL KIVA
3939 N DRINKWATER BLVD
SCOTTSDALE, ARIZONA
MAY 14, 2003
4:00 PM

1. CALL TO ORDER
2. ADMINISTRATIVE REPORT – RANDY GRANT
3. REVIEW OF MAY 14, 2003 AGENDA
4. REVIEW OF MAY 28, 2003 TENTATIVE AGENDA
5. ADJOURNMENT



DRAFT
SUBJECT TO CHANGE
TENTATIVE AGENDA
SCOTTSDALE PLANNING COMMISSION
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
MAY 28, 2003
5:00 P.M.

43-ZN-1990#2

(Mirage Trail) request by Mirage Trail LLC, applicant/owner, to rezone from Central Business District, Environmentally Sensitive Lands, Hillside District (C-2, ESL, HD) to Medium-Density Residential, Environmentally Sensitive Lands (R-3, ESL) on a 5.1 +/- acre parcel located at the southeast corner of Legends Trails Parkway and N Desert Ridge Drive. Staff contact person is Kira Wauwie AICP, 480-312-7061. **Applicant contact person is Mike Duffy, 480-837-8700.**

AND

1-GP-2003

(Mirage Trail) request by Mirage Trail LLC, applicant/owner, for a General Plan amendment from Commercial to Urban Neighborhood on a 5.1 +/- acre parcel located at the southeast corner of Legend Trail Parkway and N Desert Ridge Drive. Staff contact person is Kira Wauwie AICP, 480-312-7061. **Applicant contact person is Mike Duffy, 480-837-8700.**

Comments: This request is for a 36-unit condominium project.

1-TA-2003

(Downtown Overlay and Related Amendments) request by City of Scottsdale, applicant, to amend City of Scottsdale Zoning Ordinance (Ordinance No. 455) Article I., Administration and Procedures., Section 1.403. Additional conditions for specific conditional uses., Article III., Definitions.; Section 3.100 General.; Article V., District Regulations., Section 5.3002. Conflict with other sections., Article IX., Parking and Loading Requirements., Section 9.104. Programs and incentives to reduce parking requirements., and Section 9.108 Special parking requirements in districts., and to add Article VI., Supplementary Districts.; Section 6.1200., (DO) DOWNTOWN OVERLAY. The Downtown area is generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west. **Staff/Applicant contact people are Monique De Los Rios-Urban, 480-312-7898 and Jerry Stabley, 480-312-7872.**

5-ZN-2003

(Downtown Overlay) request by the City of Scottsdale, applicant, to apply the Downtown Overlay (DO) zoning to 750 +/- acres known as the Downtown area and generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west. **Applicant/Staff contact people are Monique De Los Rios-Urban, 480-312-7898 and Jerry Stabley, 480-312-7872.**

3-AB-2003

(12148 E Mountain View Rd) request by Tina Price/Bruce Haseley, applicant/owner, to abandon a portion of 121st Place right-of-way and a Government Land Office (GLO) roadway easement north of Mountain View Road

and west of 121st Place. Staff contact person is Cheryl Sumners, 480-312-7834. **Applicant contact person is Tina Price, 480-661-6569.**

Comments: This request is to eliminate a roadway easement and right-of-way which is not used as part of the City's circulation plan and dedicate a 15-foot wide public trail easement along Mountain View Road.

4-AB-2003

(Chalfin Residence) request by Sallie & Bradley Chalfin, applicant/owner, to abandon the west 33 feet and the north 8 feet of the south 33 feet General Land Office patent roadway and public utility easements for parcel 217-32-037C located east of 125th Street, north of Gold Dust Avenue. Staff contact person is Pete Deeley, 480-312-2554. **Applicant contact person is Brad Chalfin, 480-551-1502.**

52-ZN-1997#2

(Osborn Commons) request by Scottsdale Osborn Holding Corporation, applicant, Dee Ann Skipton, owner, for a site plan amendment to 52-ZN-1997 on a 1.7 +/- acre parcel located at the northwest corner of Osborn Road and Bishop Lane with Downtown/Office Commercial Type 2 (D/OC-2) zoning. Staff contact person is Bill Verschuren, 480-312-7734. **Applicant contact person is Patrick Logue, 480-425-8500.**

Comments: This request is for a site plan change to a 48-unit apartment/condominium project.

76-ZN-1985#4

(Portales Stipulation #3) request by Anchor Forum Portales, applicant, Anchor National Life Insurance Company, owner, to delete stipulation #3 of Case 76-Z-85 on a 39.77 +/- acre parcel located at 4800 N Scottsdale Road with Downtown/Regional Commercial Office Type 2, Planned Block Development (D/RCO-2, PBD). Staff contact person is Kira Wauwie AICP, 480-312-7061. **Applicant contact person is Paul Barker, 480-425-4664.**

Comments: This request is to delete Stipulation #3 from the approved zoning case number 76-Z-85. Stipulations #3 states: Office/retail development shall not exceed 300,000 sq. ft. prior to construction of the hotel.

5-AB-2003

(Ayoub Residence) request by Jesse McDonald, applicant, Jerry and Claudia Ayoub, owner, to abandon a portion of Mountain View Road alignment located on the north side of Mountain View Road and west of 116th Street. Staff contact person is Cheryl Sumners, 480-312-7834. **Applicant contact person is Jesse McDonald, 602-527-3310.**

A COPY OF A FULL AGENDA, INCLUDING ITEMS CONTINUED FROM PREVIOUS MEETINGS IS AVAILABLE AT LEAST 24 HOURS PRIOR TO THE MEETING AT THE FOLLOWING LOCATIONS:

Police Department, 9065 East Via Linda
City Hall, 3939 N. Drinkwater Boulevard
El Dorado Park & Recreation Center, 2311 N. Miller Road
Online at: <http://www.ScottsdaleAZ.gov/Boards/PC>

ALL INTERESTED PARTIES ARE INVITED TO ATTEND.

For more information, **call 480-312-7000** or click on 'Projects in the Public Hearing Process' at:
<http://www.ScottsdaleAz.gov/projects>



Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the City Clerk's Office at 480-312-2412. Requests should be made as early as possible to allow time to arrange accommodation.



AGENDA
SCOTTSDALE PLANNING COMMISSION
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
MAY 14, 2003
5:00 P.M.

ROLL CALL

MINUTES REVIEW AND APPROVAL

1. April 8, 2003
2. April 22, 2003

CONTINUANCES

3. **4-UP-2003 (5th Avenue Parking Garage)** request by City of Scottsdale, applicant/owner, for a municipal use master site plan for a parking garage on a 1.6 +/- acre parcel located at 7143 E 5th Avenue. **Continued to May 28, 2003.**
4. **1-TA-2003 (Downtown Overlay and Related Amendments)** request by City of Scottsdale, applicant, to amend City of Scottsdale Zoning Ordinance (Ordinance No. 455) Article I., Administration and Procedures., Section 1.403. Additional conditions for specific conditional uses., Article III., Definitions.; Section 3.100 General.; Article IX., Parking and Loading Requirements., Section 9.104. Programs and incentives to reduce parking requirements., and Section 9.108 Special parking requirements in districts., and to add Article VI., Supplementary Districts.; Section 6.1200., (DO) DOWNTOWN OVERLAY. Downtown area is generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west. **Continued to May 28, 2003.**

EXPEDITED AGENDA

5. **1-AN-2003 (Scottsdale Road - Bell to Deer Valley)** request by the City of Scottsdale, applicant, City of Scottsdale & Arizona State Lands Trust, owners, to approve the annexation of a strip of roadway along Scottsdale Road. **Staff/applicant contact person is Don Hadder, 480-312-2352.**

SCOTTSDALE PLANNING COMMISSION

MAY 14, 2003

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6. **2-AB-2003 (Colina Vista)** request by Beus Gilbert PLLC, applicant, Arizona Department of Transportation Row Group, owner, for an abandonment of the existing subdivision public right-of-ways located west of Pima Road (Loop 101) and north of Cholla Street. Staff contact person is Pete Deeley, 480-312-2554. **Applicant contact person is John Berry, 480-429-3003.**

Comments: This request is to abandon all existing public right-of-ways within the Colina Vista Subdivision in favor of a new subdivision street configuration on a remnant Department of Transportation parcel.

7. **5-UP-2003 (LA Fitness)** request by Robert Kubicek Architects, applicant, Southwest Associates Inc., owner, for a conditional use permit for a health studio on a 5.5 +/- acre parcel located at 1900 N Scottsdale Road with Highway Commercial (C-3) zoning. Staff contact person is Tim Curtis, 480-312-4210. **Applicant contact person is Jorge Calderon, 602-955-3314.**

Comments: This request is for a conditional use permit to construct a new health studio.

REGULAR AGENDA

8. **7-TA-2002 (Sign Ordinance Text Amendment)** request by City of Scottsdale, applicant, for a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article VIII, Sign Requirements. **Staff/Applicant contact person is Jeff Fisher, 480-312-7619.**

Comments: This request is to simplify and clarify the sign ordinance and to address community concerns.

NON-ACTION ITEM

9. **Discussion on the Downtown Master Plan.**

WRITTEN COMMUNICATION

ADJOURNMENT

David Gulino, Chairman
Tony Nelssen
James Heitel
Jeffrey Schwartz

Steve Steinberg, Vice Chairman
Eric Hess
David Barnett

For additional information, click on the link to 'Projects in the Public Hearing Process' at:
<http://www.ScottsdaleAZ.gov/projects>.



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**DRAFT MINUTES
SCOTTSDALE PLANNING COMMISSION
KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
APRIL 08, 2003**

PRESENT: David Gulino, Chairman
James Heitel, Commissioner
Kay Henry, Commissioner
Tony Nelssen, Commissioner
Kevin Osterman, Commissioner
Steve Steinberg, Commissioner

STAFF: Pat Boomsma
Randy Grant
Kurt Jones
Jerry Stabley
Gary Meyers
Tom Curtis
Bill Exham
John Little
Phil Kercher
Al Ward

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

COMMISSIONER OSTERMAN read the opening statement which describes the role of the Planning Commission and the procedures used in conducting this meeting.

DRAFT

MINUTES APPROVAL

March 25, 2003

COMMISSIONER HEITEL MADE A MOTION TO APPROVE THE MARCH 25, 2003 MINUTES AS PRESENTED. SECOND BY COMMISSIONER HENRY.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

REGULAR AGENDA

1-ZN-2003 (Fairmont Scottsdale Princess Expansion) request by Wolff Di Napoli LLC, applicant, Arizona State Land Department, owner, to rezone 34+/- acres from Planned Community District (PCD) with Commercial Office (CO) comparable uses to a Planned Community District (PCD) with Central Business (C-2) comparable uses, with amended standards and amend the development plan for the Princess Resort, for property located near the southeast corner of Scottsdale Road and Princess Boulevard.

MR. CURTIS presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

VICE CHAIRMAN STEINBERG inquired if there are any plans to widen Princess Road. Mr. Curtis replied in the negative. Vice Chairman Steinberg stated it has a regional significance from a transit point of view. Mr. Kercher stated the concern that was expressed about widening Princess had to do with the State Land Department desire to create a loop road in this area around the freeway Scottsdale Road interchange. What they have done through some zoning cases in this area the plan would take Princess and curve it north along the Miller Road alignment take it under the freeway and connect it back to Scottsdale Road. This plan is consistent with that.

BETTY DRAKE, applicant, stated she felt the staff did a good job introducing the application. She further stated in August 2002 they acquired a 99-year lease on the land from the State Land Department. As the area has been under development from the north of the freeway and to the west in Phoenix the hotel and the residential community both expressed concern about protecting themselves and creating a buffer to extend the character of the existing community and allow for future expansion of the hotel consistent with what they have. They also have to compete in terms of meeting space with the new hotels in the City of Phoenix. This application would allow them to get rid of the tent in the parking lot syndrome, which would make everyone happy.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

CATHERINE BALZANO, Arizona State Land Department, stated she is here to support the application and represent the State Land Department. She further stated the land uses in the rezoning are in agreement with the State's lease. She remarked she is glad the City of Scottsdale is still very interested in their transit concept. They believe that this is an important element to the vitality of this regional focal point both on the Scottsdale side and on the Phoenix side. They want the Princess Hotel and the residents in the adjacent

communities to participate in a collective effort to make this a wonderful place. Whether you live there, work there, or just go for a one-time event.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

CHAIRMAN GULINO requested the Applicant paint a broad-brush picture of the type of development they would see there under the current zoning and what they envision with the approval of this case. He also requested additional information of the potential problems for traffic congestion. Ms. Drake provided an overview of the types of development that would occur. She noted this is a strongly pedestrian oriented plan with lots of open space and walking paths to tie into the rest of the hotel property. She further noted they have a strong commitment to maintaining the character and quality of the design through out this whole process. It will be consistent with the character of what is out there now. She remarked with regard to the traffic impacts they filed a complete traffic study with the City. Based on the comparisons to what was approved versus what is proposed they are looking at a reduction of 41 percent in the overall traffic. She reported they held several open houses and so far have had excellent support from the community around them.

COMMISSIONER NELSEN stated there was not an economic analysis required. He inquired if they had any quantitative comparison between the existing and proposed land use in terms of the potential impact to the City budget.

JOHN BERRY, 4800 N. Scottsdale Road, stated the proposed use has a much more positive impact on the citizens of Scottsdale because it reduces traffic and it will have a positive impact with additional bed tax dollars, retail dollars and sales tax dollars in stead of office.

COMMISSIONER OSTERMAN stated he was pleased to see the Fairmont Princess is moving forward to stay competitive and keep itself at a premiere spot in the hotel industry. It is a great use for the land surrounding it.

COMMISSIONER HEITEL MOVED TO FORWARD CASE 1-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECOND BY VICE CHAIRMAN STEINBERG.

COMMISSIONER OSTERMAN stated he felt it was a fabulous fit for that particular piece of land and he strongly supports the case.

CHAIRMAN GULINO stated this projects looks to be an improvement over what is existing he will also support this case.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

2-UP-2003 (C.A.P. Basin Park) request by City of Scottsdale - Parks Department, applicant/owner, for municipal use master site plan for a City park on 80+/- acres located at the northeast corner of Hayden and Bell Roads with Townhouse Residential, Planned Community Development (R-4 PCD) zoning.

MR. WARD presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

BILL EXHAM, Community Service Department, General Manager, provided background information on this site. He provided an overview of the community involvement that has occurred. He also provided an overview of the park master plan.

COMMISSIONER NELSEN inquired if there would be police presence at the park. Mr. Exham stated there would not be a regular police presence at the park. It would be just like their typical parks where the police beat officer will stop by regularly.

Commissioner Nelsen stated regarding the two fields on Bell Road and Hayden he inquired if there was any thought given to providing intermediate lighting levels so they could be used as practice fields. Mr. Exham stated if they light the field it has to be to the full standards because if someone gets hurt and there are not adequate lights on the fields there could be a lawsuit. Mr. Meyers stated throughout the public input process the neighbors made it clear regarding their concerns about other lighted amenities. Commissioner Nelsen stated he felt the kids would use those fields regardless if they are lighted to the full lighting standards. Mr. Exham noted there will be lights around the pathway system. He further noted the reality is there was a lot of concern regarding light and that is why only some of the fields will be lit.

Commissioner Nelsen stated he felt this park is needed and should move forward but there are some issues that could be tweaked as it goes through the process.

Commissioner Nelsen inquired how the turf will be remedied from cars parking on it when it is wet. Mr. Exham stated good drainage will be built into these fields. The reality is when they get rain they could have some difficulties so the plan is after the Phoenix Open they will leave some time open for maintenance so they can get the turf back into shape. He noted the fields will be designed as best they can to accommodate for that.

Commissioner Nelsen stated the report indicates that different water would be used for the trees. He inquired why they would use different water for the trees than the grass. Mr. Exham stated he asked the same question and he was told that if the CAP water is put through the drip system it will clog those systems.

VICE CHAIRMAN STEINBERG inquired if there was any historical data that would substantiate that a facility like this one would enhance real estate values versus detract from real estate values. Mr. Exham stated there are a variety of nationwide studies that show that parks, trails, and those types of amenities do not reduce property values.

JOHN LITTLE, Transportation Department, General Manager, provided an overview of the circulation plan and transportation issues with regard to this proposal.

MR. MEYERS reviewed the next steps. He stated from here they will go to City Council probably in June for the master plan process and then to the DR Board some time in the summer. Go out to bid on this project in late fall early winter so the bid can be awarded by Council in about December so the construction can begin after the Phoenix Open so the project will be completed by November of next year so it will be ready for the following Phoenix Open.

Mr. Meyers provided additional information regarding the Phoenix Open parking and delivery to this site.

COMMISSIONER NELSEN stated it was indicated the primary access to the lot is on the north. He inquired if there was any secondary or tertiary access. Mr. Meyers stated the primary access is off of Princess Drive there is limited access coming in off of Hayden from the south. He reviewed the primary delivery routes for the vehicles. It is well designed so there is not a lot of vehicle conflict. Commissioner Nelsen expressed his concerns regarding there only being one primary access. He stated there would be traffic backed up on Princess trying to get in and out of the lot.

JOHN BARKER, EDC, landscape architect, stated they have been working with the Thunderbirds on the parking system for the last two years. He presented information on how it is done currently. He presented information on the way the parking operates. He noted there is not a big influx of cars in at one time. The bigger concern is exiting after the open. This plan would allow additional exit points to the north to the 101 along with Princess to the east.

COMMISSIONER NELSEN stated there are a lot of terms used with when dealing with traffic volumes like adequate. He inquired what happens if there is an emergency and adequate is not good enough. Mr. Barker stated they felt with this plan when the park is laid out appropriately they will have better control better designation of where they are parking than they do right now. With the plan, they will be able to formulate an emergency plan. He further stated there is no real access cutoff anywhere if an emergency vehicle needs to get somewhere that could happen. Commissioner Nelsen stated he felt there needs to be more study done on this. Mr. Exham stated the people running the Phoenix Open and the parking and planning have worked to make this best solution. The Police responsible for managing the site as well as the Thunderbirds have all been involved and they felt this plan works with this site and would accommodate the parking. Mr. Meyers stated he would remind the Commission there are other access driveways as well.

COMMISSIONER HENRY stated the City needs this park because they have heard there are shortages of sports fields and soccer fields and is a real big problem in the City. She stated last year the city turned away 120 adult sports teams because there were no fields so she assumes this will take care of some of the problems they have now. She inquired about the long-range plan as far as they have shortages today and what happens in 2020. Mr. Exham stated this is not the total solution to the lack of field time. Down the road they have several facilities that have been identified and funded for additional fields that will be coming on in addition to this park if it is approved. He reviewed the areas that have already been identified.

VICE CHAIRMAN STEINBERG stated he felt it might become an attractive nuisance where the kids would try to cross the street rather than use the bridge. He inquired if there has been any thought given to moving the park further down south and doing a ring road around the park and getting rid of the road down the middle of park. Mr. Meyers stated he does not think they discussed that particular approach. He presented information on what they are doing to keep people safely out of the road and discouraging people from running across. With creative landscaping and fencing and the sidewalk design, they can encourage everyone to use the safe crossing. Vice Chairman Steinberg stated it is not ideal and they are taking two acres to go through in that manner plus a million dollars to depress the road. It looks beautiful in concept but he is nervous about it from a safety point of view. He further stated his hope was on the previous site plans they might have looked at a ring road or loop road around versus going through the park so they would have one park in tact versus two

halves. Mr. Kercher stated they looked at that as one of the early options. The traffic projections show anticipated demand of 12,000 vehicles per day so if they did not have that connection that traffic would be rerouted on some other streets to get from east of this area to Greenway Hayden and would likely put a lot more traffic on 82nd Street and Perimeter Drive that were not designed to accommodate that additional traffic.

COMMISSIONER HEITEL inquired if there is only one access point to the retention basin. Mr. Meyers stated he was showing as the primary means of access but the reality is that all of those ramps could be used as emergency egress. All of the ramps are designed to be driveable so virtually all corners of the basin have egress leading to the driveway so if you need to get out of there in a hurry you can find egress.

COMMISSIONER NELSEN stated if the ramps are driveable he inquired if they are going to discourage other types of wheeled events in this facility. Mr. Meyers stated they can use textured pavement to discourage skateboarders because they like a smooth surface.

CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

EUGENE CLAYMAN, 177368 N. 77th Way, stated they have presented a beautiful picture today but there are some things that just are not right. He further stated one of his concerns is about the basin where all the water is suppose to drain the City of Scottsdale has no current flood control area. Secondly, they have said the parking lot for the Phoenix Open is easily repairable. If it rains it is a mess and cannot just be over seeded and the problem is taken care of. If the soccer fields are not maintained their property values would go down. He noted he does not believe this will enhance their property values. There is no operating budget for this facility. Thirdly, they have not talked about the safety of the children and how they will keep the children from going into the street on Hayden Road. Lastly, they have cut the property owners in the Princess View from entering their area from the west.

PEDRO ROMERO, 9035 N. 128TH Street, spoke in support of this case. He stated he felt this is a wonderful plan. It is a facility that is needed for our community and that neighborhood. He further stated he has been a resident of Scottsdale for 23 years and has been involved in youth and adult sports. He noted there have been various users groups that are going to be using this facility and have agreed to help the city maintain the facility properly. He further noted with regard to the lights he felt the safety issue was overstated because kids will play in the dark if there is not enough room. He remarked he would encourage that lights would be placed there. He further remarked with regard to property values he has owned several homes in Scottsdale and they have always looked for homes near a park so the children could play. He concluded there is a shortage of parks in Scottsdale.

VICTORIA THOMAS, 9035 N. 128TH Street, stated these soccer fields are well overdue. She further stated she would love them all to be lit but she understands the residents concerns. She commented she is involved in youth and adult soccer and they often have played in overlay fields at night when you have eight teams sharing one field and it is a dust bowl. She further commented there is another field that is against Hayden Road and there is not a problem with the kids running into the road. She requested that they move this forward.

HERBERT SMITH, 7734 E. Monica Drive, stated there are issues that they have brought up in other meetings that need to be addressed. He expressed his concerns about the lighting and the noise. He inquired if they would guarantee the lights will go off at 10:30 p.m. He noted he has not seen anything regarding where the cost of maintenance is coming from. He further noted they cannot get back to their home from the 101 that access has been cut off.

JIM ROTH, 8245 E. Bell Road, stated he is pretty much in favor of the park. There are three things that are of concern. The biggest issue is traffic. They are talking about 600 trips per hour on the weekend. He also expressed his concern that they refuse to consider a traffic signal at 82nd Street and Bell. It is a zoo right now. The other concern is noise. He noted he hopes they are planning to consider noise. He requested that they not light those other fields because they are right in their face.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

CHAIRMAN GULINO stated issues regarding the operating budget are not within the purview of this Commission. He requested they save those issues for the City Council.

MR. KERCHER addressed the comment about not being able to enter the Princess community from the east and the freeway the solution was developed with the representatives of the Princess Community. He noted this solution only restricts the westbound movement and there are other alternative routes to enter the community. He reported in terms of trip generation the report looked at the worst case scenario. He remarked in terms of the signal at 82nd Street they would not say that they would never consider a traffic signal at the intersection but they did not want to study it at this time because of the construction activities.

MR. EXHAM stated if there is rain and the fields need to be repaired they will be repaired and there is money in the budget. He further stated this is not something that would be happening every weekend this would be once a year. He commented on the noise control measures that will be in place. He reported the field has been designed so that kids will not go into the street.

MR. MEYERS outlined the measures that are being taken to keep kids from going into the street. He stated he felt the proposed combination of fencing and landscaping would adequately address that issue.

CHAIRMAN GULINO inquired what time the lights would be turned off. Mr. Meyers stated typically parks close at 10:30 and the lights are turned off what they have asked for in the stipulations is an allowance for them to stay on until 11:00 to allow the game to wrap up. He further stated the lights will be on timers.

MR. EXHAM stated the fields will be properly maintained and should not effect the property values in this area.

VICE CHAIRMAN STEINBERG stated because of the proximity of this park to a very affluent area he inquired if there was anyway to put in a police substation to maintain the security at night. He also inquired if there is any plan to incorporate mass transit into this plan. Mr. Exham replied there is not intention at this time to have a police substation at this

site. There will be a regular beat police officer checking this area. Mr. Little stated they have not discussed incorporating mass transit into this site.

CHAIRMAN GULINO inquired if they are changing the flood control characteristics of this basin. Bill Erickson, Food Plain Administrator for the City, provided information on this basin. He stated the basin is owned by the BOR and there is a 404 permit on it by the BOR.

COMMISSIONER NELSEN stated he felt this is an appropriate and desirable land use. He further stated he felt there are several issues that still need to be addressed that will go on to City Council. He remarked with regard to his colleague's statement he felt all neighborhoods need police protection not just affluent ones. He further stated they might want to make a provision for a staffing office that police have keys to. He concluded he will support this request. It has been a long time in the process. This is a good plan but there are still a few wrinkles but he felt they can come to a compromise before this is finally approved.

COMMISSIONER OSTERMAN stated he fully supports this request. It is a good land use. He further stated with regard to police coverage the District 3 Police Station is about a mile down the road at DC Ranch so there is a close police station if they need it for any reason.

COMMISSIONER HEITEL stated he supports this plan. He further stated the plan is sensitive to the neighbors and addressed the concerns of the community in this area for sorely needed soccer fields. He remarked his hat is off to the City for putting together a very good workable plan.

VICE CHAIRMAN STEINBERG stated he supports this plan. He further stated he felt it is a very ambitious plan. He remarked he wants to take his hat off to the city staff who has been very accommodating to the requests of the residents. He further remarked there is never going to be a win/win situation but he thought this will prove to be as Indian Bend Wash has in due time. There have been compromises made that have him concerned but he felt in due time he would be proven wrong. He concluded he felt this will be a major asset to this wonderful little area. Compared to what is there now this is a major improvement.

COMMISSIONER HENRY stated she supports this plan. She further stated they need it. She remarked she would commend everyone that has worked on this to make it a plan most everyone is agreeable with. She further remarked she knew they would never please everyone and some people will have a problem with it especially people who live close by. She reported once the construction is completed on Princess Drive the Traffic Department needs to watch the traffic on Bell Road and 82nd Street to determine if there is the need for a traffic light.

CHAIRMAN GULINO inquired about the dimensions of the field. Mr. Meyers provided information on the dimensions of the field.

Chairman Gulino stated he would assume the overflow of the lights will be minimized. Mr. Meyers replied in the affirmative.

Chairman Gulino inquired about the timing of the Hayden Road connection. Mr. Little stated the target date is end of April Beginning of May.

Chairman Gulino stated relative to fencing and keeping soccer balls and kids out of the street there are other facilities near streets with fences and it does not seem to create a problem. He suggested they add a stipulation that the DR Board pay particular attention to the method for fencing this property off. They might want to use a mesh fence rather than a chain link fence. Relative to the Princess Drive westbound traffic one thing that jumped out at him that anyone who wants to go into that area can't based on the control plan. He suggested maybe they add a stipulation that DR Board go back and visit that again. Mr. Little stated this plan is reflective of the desires of the Princess Resort and the HOA.

COMMISSIONER OSTERMAN MOVED TO FORWARD CASE 2-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL BASED ON THE FACT IT MEETS THE CITY OF SCOTTSDALE USE PERMIT CRITERIA. SECOND BY COMMISSIONER HEITEL.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

NON-ACTION ITEM

Discussion of drainage issues related to Environmentally Sensitive Lands Ordinance (ESLO).

MR. GRANT stated Council approved the latest update to ESLO on April 1, 2003. Council requested review of additional issues:

- Drainage/connection of Drainage to ESLO issues
- Legal basis for Natural Area Open Space
- Perimeter Walls
- Building Envelopes
- Wildlife Corridors Density Bonus
- Boulder feature protection
- Types of Development that might occur

Mr. Grant reviewed the schedule to prepare amendments for Council consideration. The purpose of this evening is for the Planning Commission to provide staff with feedback on how they anticipate to best address these issues.

COMMISSIONER HEITEL inquired if it would be appropriate for staff to bring the amendments back to the Planning Commission for their review before they are moved along to City Council. Mr. Grant replied that was their intent.

MR. GRANT presented information regarding drainage issues related to the Environmentally Sensitive Lands Ordinance. He discussed the special circumstances in the ESL areas. He presented information on the wash characteristics. He reviewed the special considerations in the ESL area. He noted the drainage ordinance and the ESL ordinance are complimentary.

COMMISSIONER NELSEN asked a series of questions regarding density bonuses. He inquired why properties that have major washes going through should get density credits why should they receive density credits if it is not a designated flood plain Mr. Grant provided

information regarding the situation when density credits would be given. Commissioner Nelssen stated he felt the terrain should drive the design of the product. If the property has a major wash then the project should be designed to the land because of the drainage issues. He stated his concern is about density credits for parcels of land that have large drainage across them if you have 20 acres of property do they get 20 additional homes on their property. He remarked his point is that he does not think you should in ESL areas if you should build on that wash then go to it and get your engineers and architects to build something that meets the drainage issues. Chairman Gulino stated so what you are saying is that you don't think transfer mechanisms should be given on parcels that are severely impacted by drainage. Commissioner Nelssen stated he does not think it should be by right and not rubber stamped. There are scenarios where it would be appropriate and other areas where it would be less appropriate.

MR. GRANT provided information on the issue of fences and walls.

CHAIRMAN GULINO stated he would like them to step back and get practical about the wall issue. He further stated that he would like staff to look at what they are doing to keep people from creating a drainage problem by building a block wall where water historically falls. He noted he felt they are beating to death the issue that you don't go higher than three feet and ignoring under three feet and he does not know if that serves their purpose.

COMMISSIONER HEITEL stated the disconnect he is having is regarding the drainage ordinance in the ESL area where people are being allowed to block off the washes in the desire to block off their entire community and in some cases actually creating retention basins with walls.

MR. GRANT provided information on the building envelopes in the ESL areas.

CHAIRMAN GULINO stated he is very opposed to putting an envelope on a plat of any size lot. He further stated with ESL and everything else they are taking more and more flexibility away from people who are buying lots and building homes there. People need the ability to site their homes where they want to. He remarked he felt they were creating a burden for staff because of the fact that they will get a lot of adjustments. He commented he is a big believer in property rights. He further commented don't get him wrong he would like to preserve as much desert as they can. He noted he felt they are getting a little over regulated with ESL 2 but here is also justification for it.

COMMISSIONER NELSEN stated one of the reason we have ESLO is because they did not have sensitive development in too many cases and ESLO 2 is what ESLO should have been but no one had the guts to put forward in the first place.

Commissioner Nelssen inquired if there was any chance they could look at lighting standards. It was an issue with ESLO but did not get on the list the Council asked for.

Commissioner Nelssen stated back to the issue of density credits he felt it would be appropriate to give credits if they allow access across the drainage easements i.e. trails. It will not be appropriate everywhere but in some places, it is.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

HOWARD MEYERS, 6631 E. Horned Owl Road, stated one of the key issues it to try and get the drainage ordinance and ESLO working together to solve the drainage problems and accomplish the goals of ESLO at the same time. He expressed his concerns regarding block walls that are being put up that impede the water flow around a development and the impacts it has up stream and down stream.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

MR. GRANT provided an overview on the legal basis for NAOS. He provided additional information on density credits. He reported the Flood plain regulation and ESLO can work together to provide for the health, safety, and welfare while preserving the environment and culture of Scottsdale.

CHAIRMAN GULINO stated the process is for staff to draft amendments to be presented to Council. He requested that staff bring those amendments back to the Planning Commission for their review before they go to Council. He further stated if the Commission has any further comments between now and July to contact staff.

COMMISSIONER HEITEL requested further information on the gap between the ESL ordinance and the drainage ordinance. Mr. Erickson stated he did not think there was any real conflict between the two ordinances. He noted the ordinance does indicated that you can't block a wash.

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 8:09 p.m.

Respectfully Submitted,

"For the Record " Court Reporters



**DRAFT MINUTES
SCOTTSDALE PLANNING COMMISSION
KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
APRIL 22, 2003**

PRESENT: David Gulino, Chairman
Steve Steinberg, Vice Chairman
David Barnett, Commissioner
James Heitel, Commissioner
Tony Nelssen, Commissioner
Kevin Osterman, Commissioner
Jeffery Schwartz, Commissioner

STAFF: Pat Boomsma
Kurt Jones
Tim Curtis
Al Ward
Kira Wauwie

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:03 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

COMMISSIONER OSTERMAN read the opening statement which describes the role of the Planning Commission and the procedures used in conducting this meeting.

CHAIRMAN GULINO stated that last Friday night the City of Scottsdale suffered a tragic loss. One of the staff members, John Arnhold, passed away suddenly. He requested they observe a moment of silence in his honor.

(A moment of silence was observed.)

CHAIRMAN GULINO introduced David Barnett as the newest member of the Commission. He reported the City Council has appointed three new commissioners. He further reported the April 8th meeting was Kay Henry's last meeting and this will be Commissioner Osterman's last meeting.

COMMISSIONER OSTERMAN bid farewell to his fellow commissioners. He remarked that he appreciated working with staff. He further remarked serving on the Commission has been a great experience.

CONTINUANCES

7-TA-2002 (Sign Ordinance Text Amendment) request by City of Scottsdale, applicant, for a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article VIII, Sign Requirements. (Continued to May 14, 2003)

COMMISSIONER OSTERMAN MOVED TO CONTINUE CASE 7-TA-2002 TO THE MAY 14, 2003 PLANNING COMMISSION MEETING. SECOND BY COMMISSIONER HEITEL.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

INITIATION

2-ZN-2003 & 4-UP-2003 (5TH Avenue Parking Garage) request to initiate a municipal use master site plan and a rezoning from Central Business District (C-2) to Parking District (P-2) on a 1.6 +/- acre parcel located at 7143 E. 5th Avenue.

MS. WAUWIE presented this case as per the project coordination packet. Staff recommends the initiation.

VICE CHAIRMAN STEINBERG inquired if the proposed garage is multi-stories. Ms. Wauwie replied it will be four stories. Vice Chairman Steinberg inquired if any of it will be below grade. Ms. Wauwie replied half of a level will be below grade. Vice Chairman Steinberg inquired how it would impact the shops and restaurants that are west of the proposed garage. Ms. Wauwie stated there is an intervening alleyway that would be upgraded to 20 foot wide to provide access to the backs of those buildings. Vice Chairman Steinberg inquired if P-2 would preclude doing a mixed-use project here. Ms. Wauwie stated P-2 is strictly parking.

VICE CHAIRMAN STEINBERG stated he would love to see it buried and create a park on top. He further stated this is valuable land right next to the arts district. He remarked he would hate to see land disappear like that. He inquired if there was anyway they could look at putting much of the garage below grade and incorporating some mixed use and public amenities like a small park. Ms. Wauwie stated staff would take his suggestions into consideration, but that is not something they have looked at.

COMMISSIONER BARNETT asked about the height of the other buildings in the area. Ms. Wauwie stated many of the buildings are one story but some might be two story.

COMMISSIONER BARNETT inquired if some of the buildings in the area have backside deliveries that might be affected by the garage. Ms. Wauwie stated the buildings that have rear deliveries occur on the west side of the site and the 20-foot wide alley will allow deliveries in the back to continue.

CHAIRMAN GULINO inquired when this is scheduled to come back before the Commission. Ms. Wauwie stated it will come back before the Commission on May 14, and will then go to the City Council on June 16. The Development Review Board on June 19. Initiate construction in Fall 2003.

COMMISSIONER NELSEN inquired when this comes back before the Commission if they would be able to view some of the conceptual drawings because he shares some of the same concerns expressed by Vice Chairman Steinberg. He remarked obviously there would be additional costs to bury this structure but there are creative ways to fund these things particularly in this part of the City. Ms. Wauwie stated they have some photo schematics that show the existing buildings and the proposed structure. The conceptual drawings would be presented at the DR Board. Commissioner Nelsen inquired if there was any possibility of this being below grade. Ms. Wauwie replied it would be very difficult to bury the entire structure at this site because there are some drainage considerations that might elevate the cost associated with the parking structure. They are considering half a level below.

COMMISSIONER NELSEN inquired if this would be free parking. Ms. Wauwie replied in the affirmative.

COMMISSIONER HEITEL MOVED TO INITIATE CASES 2-ZN-2003 & 4-UP-2003 WITH THE SUGGESTION THAT STAFF LOOK INTO SOME OF THE COMMENTS AND ADDITIONAL USES THAT MIGHT ENHANCE THE SITE THAT WERE BROUGHT UP BY THE COMMISSIONERS. SECOND BY COMMISSIONER OSTERMAN.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

32-UP-2000#2 (Celebration of Fine Art) request by Earl, Curley & Lagarde PC, applicant, Arizona State Land Department, owner, for a conditional use permit extension for a Seasonal Arts Festival with stipulation modifications on a 77.47 +/- acre parcel located at the southeast corner of Scottsdale Road and Union Hills Drive with Planned Regional Center, Planned Community District (PRC-PCD) zoning.

MR. WARD presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

COMMISSIONER NELSEN stated that he supports this request. He inquired if any consideration could be made to creating a more decorative atmosphere to the tent structures themselves.

TOM MORROW stated he is the owner of Celebration of Fine Art. He further stated they would be interested in doing that but he is not sure if they would bump into some restrictions

from the City. From a practical standpoint, it would be difficult because they would have to get new tents.

COMMISSIONER NELSEN stated he was not suggesting they get new tents. There are freestanding structures that could be mounted on poles and strung on cables that give more visual interest. Mr. Morrow stated they would look into it.

CHAIRMAN GULINO inquired how long is the extension on the use permit. Mr. Ward replied every two years the Zoning Administrator would review it. Chairman Gulino stated so it will not come back to a public hearing. Mr. Ward replied in the affirmative.

CHAIRMAN GULINO inquired if this event is creating any additional traffic problems in the area. Mr. Ward replied the Transportation staff has not indicated any problems. It is a signalized intersection and traffic would be off-hours and on weekends.

LYNN LAGARDE, Earl, Curley and Lagarde PC, stated it is important to note Mr. Morrow has already done significant traffic improvements in terms of signalization over the course of time he has been at this location. She further stated to be clear on the record the stipulation reads that this use permit is without a timing limitation. The staff has asked when they go in for State Land use permit extension that they submit a status report to the Zoning Administrator.

COMMISSIONER OSTERMAN MOVED TO FORWARD 32-UP-2000#2 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL AS IT MEETS THE CITY OF SCOTTSDALE CRITERIA FOR A USE PERMIT. SECOND BY COMMISSIONER HEITEL.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

CHAIRMAN GULINO stated the record should reflect that Commissioner Schwartz just arrived.

(Commissioner Schwartz arrived at 5:25 p.m.)

1-MP-2003 (Park Site at DC Ranch Planning Unit 1) request by Biskind Hunt & Taylor, applicant, DC Ranch LLC, owner, for Master Site Plan approval for a future public park at DC Ranch on a 12.8 +/- acre parcel located near the southeast corner of Pima Road and Union Hills Road with Open Space and Planned Community District (OS/PCD) zoning.

MR. CURTIS presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

VICE CHAIRMAN STEINBERG inquired whether this is an exclusive park for DC Ranch residents. Mr. Curtis stated it is a neighborhood park that is open to the public and will be dedicated to the City of Scottsdale. Vice Chairman Steinberg inquired if it relates to the trails system in DC Ranch as well as outside of the area. Mr. Curtis replied in the affirmative. Vice Chairman Steinberg inquired if there is a provision for equestrian activity. Mr. Curtis stated there is a plan for a trailhead at this location.

COMMISSIONER HEITEL inquired when do they anticipates the master site plan will come back. Mr. Curtis replied they have indicated within five years.

VICE CHAIRMAN STEINBERG MOVED TO FORWARD CASE 1-MP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECOND BY COMMISSIONER NELSEN.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

CHAIRMAN GULINO introduced and welcomed Mr. Schwartz as the newly appointed Planning Commission member.

VICE CHAIRMAN STEINBERG stated he wants to be clear regarding the initiation case for the parking garage that they still have the opportunity at the next meeting to raise any of their concerns about the rezoning. Mr. Jones replied in the affirmative. The request this evening was for a specific zoning district. Staff will look into alternatives. He noted P-2 only allows parking.

COMMISSIONER HEITEL inquired if they could look at a use outside of the P-2 zoning and initiate a rezoning. Mr. Jones stated at the next hearing they could discuss considering some type of future reclassification.

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 5:40 p.m.

Respectfully Submitted,

"For the Record " Court Reporters

Planning Commission Report



MEETING DATE: MAY 14, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

REQUEST**5th Avenue Parking Garage**

Request for a municipal use master site plan for a parking garage on a 1.6 +/- acre parcel located at 7143 E 5th Avenue.

4-UP-2003

CONTINUANCE DATE

May 28, 2003

**REASON FOR
CONTINUANCE**

This case is being continued to give additional time for consideration.

STAFF CONTACT(S)

Kira Wauwie AICP
Project Coordination Manager
480-312-7061
E-mail: kwauwie@ScottsdaleAZ.gov

REQUEST**Downtown Overlay and Related Amendments**

Request to amend City of Scottsdale Zoning Ordinance (Ordinance No. 455) Article I., Administration and Procedures., Section 1.403. Additional conditions for specific conditional uses., Article III., Definitions.; Section 3.100 General.; Article V., District Regulations., Section 5.3002. Conflict with other sections., Article IX., Parking and Loading Requirements., Section 9.104. Programs and incentives to reduce parking requirements., and Section 9.108 Special parking requirements in districts., and to add Article VI., Supplementary Districts.; Section 6.1200., (DO) DOWNTOWN OVERLAY. The Downtown area is generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west.

1-TA-2003

CONTINUANCE DATE

May 28, 2003

**REASON FOR
CONTINUANCE**

This case is being continued to give additional time for consideration.

STAFF CONTACT(S)

Jerry Stabley
Principal Planner
480-312-7872
E-mail: jstabley@ScottsdaleAZ.gov

APPROVED BY

Randy Grant
Chief Planning Officer

PLANNING COMMISSION REPORT



MEETING DATE: May 14, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT Scottsdale Road - Bell to Deer Valley

REQUEST Request to approve Annexation.
1-AN-2003

Key Items for Consideration:

- This is a narrow County island that is wholly located within a roadway.
- Scottsdale Road is a major road that serves most of the city.
- Annexation of this strip would simplify the maintenance and operations of this important road.

Related Policies, References:

This area of annexation is located within a future street project that would widen the road to six lanes.

OWNER City of Scottsdale and Arizona State Lands Trust

APPLICANT CONTACT City of Scottsdale

LOCATION Scottsdale Road - Bell to Deer Valley

BACKGROUND **General Plan.**

The General Plan Mobility Element designates this property as part of a "Regional System" street corridor. The proposed Streets Master Plan shows this roadway as a parkway. Scottsdale Road has been planned as a 6-lane roadway for nearly 40 years.

Context.

This annexation is located west of the monument line that represents the center of Scottsdale Road. The current city boundary is located 55 feet west of the monument line and was established in 1964. The City of Phoenix boundary is located 65 feet west of this monument line, leaving a 10 foot wide gap between the two cities.

The lands on the east side of Scottsdale Road in this area represent a number of major developments, including the Princess Hotel, the Crossroads East State Lands, the proposed Stacked 40s project and Grayhawk. To the west, the lands in Phoenix are also predominantly in major projects such as Chauncey Ranch, Scottsdale 101, and Paradise Ridge, most of which are State Lands. Most of this land is currently vacant.

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The purpose is to eliminate a narrow County island within the area of Scottsdale Road.

Key Issues.

The County has indicated that they would like for this annexation to occur so that they are longer involved in this roadway.

IMPACT ANALYSIS**Traffic.**

Scottsdale Road is and will continue to be a major carrier of local and regional traffic. The city is committed to improving the capacity of this road segment before substantially more growth occurs in the area.

Water/Sewer.

There are both City of Scottsdale and City of Phoenix water and sewer lines located nearby and within this road corridor.

Police/Fire.

Annexation of this area would simplify traffic operations and control as well as emergency response on this major street by reducing the number of jurisdictions involved.

Open space, scenic corridors.

This portion of Scottsdale Road is designated as a scenic corridor in the General Plan.

Community involvement.

The city is coordinating with the State Land Department in facilitating this annexation request.

Community Impact.

Annexation of this narrow island would have no significant adverse effect on the community.

**STAFF
RECOMMENDATION
RESPONSIBLE
DEPT(S)**

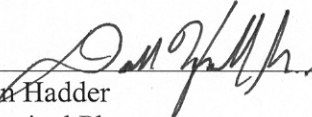
Staff recommends approval.

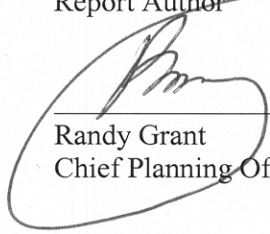
Planning and Development Services Department

STAFF CONTACT(S)

Don Hadder
Principal Planner
480-312-2352
E-mail: dhadder@ScottsdaleAZ.gov

APPROVED BY

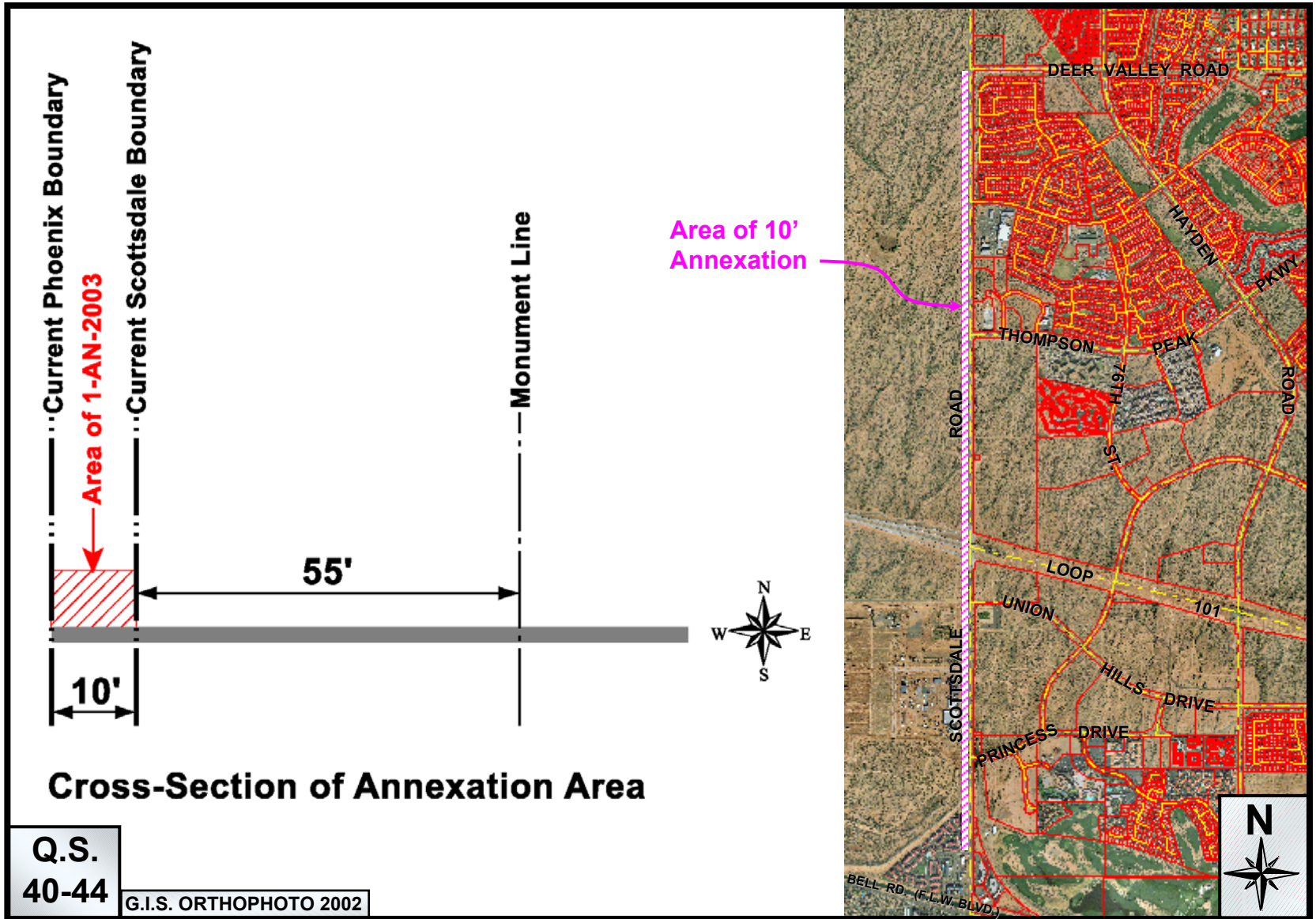


Don Hadder
Principal Planner
Report Author

Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Context Aerial
2. Legal Description



Scottsdale Road Annexation
Deer Valley Road to just South of Princess Drive

1-AN-2003

ATTACHMENT #1

LEGAL DESCRIPTION

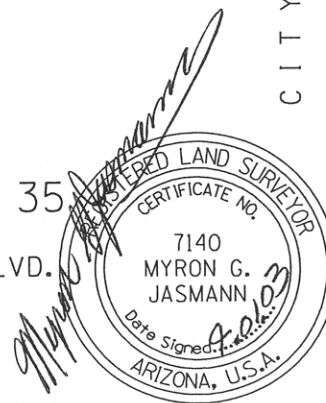
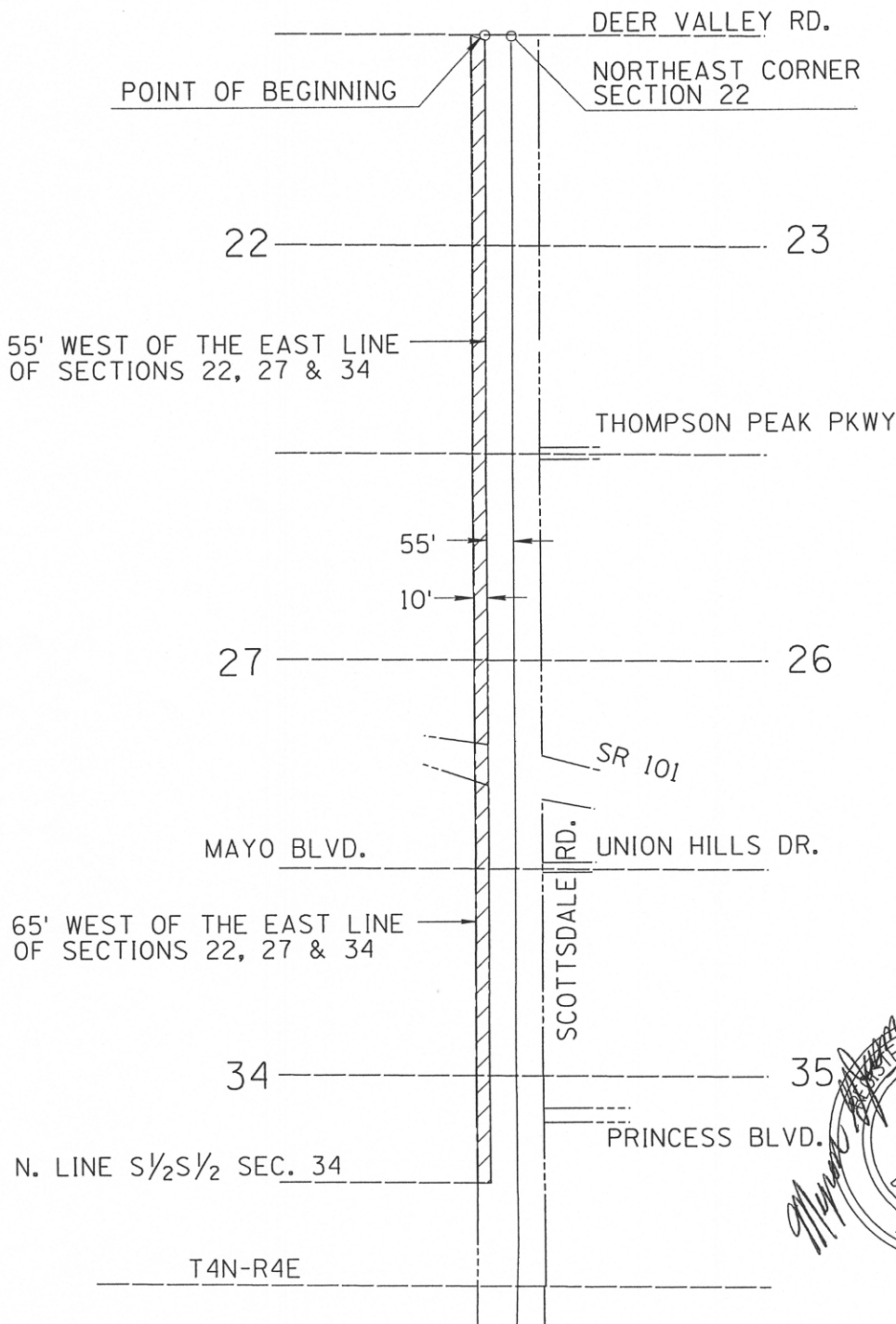
SCOTTSDALE ANNEXATION FRANK LLOYD WRIGHT BOULEVARD TO DEER VALLEY ROAD


BEGINNING at a point on the existing City Limit line of the City of Scottsdale, Arizona, said point being 55.00 feet West of the East line and on the North line of Section 22, Township 4 North, Range 4 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona; thence South parallel to and 55 feet West of the East line of said Section 22 to the North line of Section 27, T. 4 N., R. 4 E., thence continuing South parallel to and 55 feet West of the East line of said Section 27 to a point on the North line of Section 34, T. 4 N., R. 4 E.; thence continuing South parallel to and 55 feet West of the East line of said Section 34 to a point on the North line of the South Half of the South Half of said Section 34; thence west along the North line of the South Half of the South Half of said Section 34 to a point 65 feet West of the East line of said Section 34; thence North parallel to and 65 feet West of the East line of said Section 34 to the South line of said Section 27; thence continuing North parallel to and 65 feet West of the East line of said Section 27 to a point on the South line of said Section 22; thence continuing North parallel to and 65 feet West of the East line of said Section 22 to a point on the North line of said Section 22; thence easterly along the North line of said Section 22 leaving said common boundary between the City of Phoenix and the City of Scottsdale, a distance of 10 feet to the Point of Beginning. Said parcel contains 3.35 acres, more or less.



CITY OF PHOENIX

CITY OF SCOTTSDALE



ACQUISITIONS	PROJECT		
 ANNEX PARCEL	SCOTTSDALE ROAD WIDENING FLW BLVD. TO THOMPSON PEAK PKWY.		
	PROJECT NO. S 7005		
	EXHIBIT "A"		
	OWNER: MARICOPA COUNTY		
	BY: MGJ	DATE: 4-1-03	SH. 1 OF 1

PLANNING COMMISSION REPORT



MEETING DATE: May 14, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT Colina Vista Abandonment

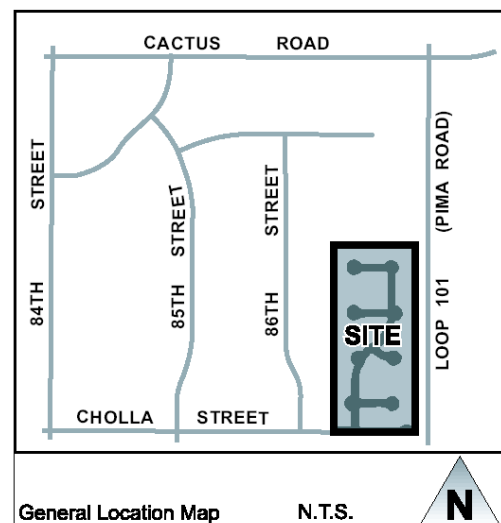
REQUEST Request to consider abandon all public right-of-ways within the Colina Vista subdivision except a portion of Cholla Road.
2-AB-2003

Related Policies, References:
(153-DR-84.)

OWNER Arizona Department of
Transportation Right-of-way
Group

APPLICANT CONTACT John Berry
Beus Gilbert P L L C
480-429-3003

LOCATION Northwest corner of Cholla and
Pima Highway (101)



BACKGROUND

Background.

The subject Colina Vista subdivision right-of-ways were dedicated by the subdivision plat approved December 6, 1984 by the City of Scottsdale, and recorded on December 18, 1984. While street improvements were constructed, no residential houses were constructed. The Arizona Department of Transportation (ADOT) purchased the subdivision for construction of the 101 Freeway.

With the completion of the 101 Freeway at this location, ADOT is now left with a residue property, which may develop as a residential single-family subdivision.

Zoning.

The site is zoned R1-18 PRD.

Context.

With the completion of the 101 Freeway, ADOT has assessed the amount of property that is necessary to maintain their facilities. The excess property will be sold and redeveloped in accordance with the City of Scottsdale Codes and Ordinances.

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

This request is to eliminate the existing Colina Vista right-of-ways. Portions of these right-of-ways have been used as property for the 101 freeway. The remaining existing roadway configuration is no longer functional, a new roadway configuration will need to be created. There is a current Development Review Board application to replat the original subdivision, after the abandonment process is completed.

ADOT is requesting, as the sole property owner and in preparation for the sale of the remaining property, to abandon the existing Colina Vista subdivision right-of-ways, with the exception of a portion of Cholla Road, which will remain as part of the proposed subdivision.

Key Issues.

- **Property is under single ownership, ADOT.**
- **There are no existing residences within the subdivision.**
- **This will enable a redevelopment of the property.**
- **A new street configuration will be created and approved as part of the replat process.**

Transportation Impact.

The public street system to be abandoned serves a small residentially zoned, undeveloped infill parcel north of Cholla Road along the west side of the Loop 101 Freeway. ADOT had acquired the parcel for freeway construction, and the usability of the platted dedicated streets was voided by the freeway construction. ADOT intends to sell the residue of the original parcel, with the purchaser replatting to reflect the smaller parcel size.

The City Transportation public street interest is to insure that a viable public dedicated cul-de-sac turn-around remains at the termination of Cholla Road on the west side of the freeway, and that adequate Cholla Road right-of-way be retained. There should be no abandonment of city right-of-way without concurrent dedication of a Cholla Road cul-de-sac turn-around.

Any private street gated entrance served from the public cul-de-sac turn-around must be designed to function properly relative to that public turn-around. A 60-foot wide public right-of-way should be maintained for Cholla Road. Cholla Road right-of-way east of the proposed cul-de-sac turn-around is not being abandon for possible future connection to the ADOT right-of-way.

The City Transportation Department, as a condition of this abandonment, has stipulated (see Attachment #4, stipulation #9) a path connection from the proposed subdivision public right-of-way to the ADOT property line for possible future connection to the ADOT property for public access.

Community Impact.

The abandonment should make the property more attractive to purchasers. The current undeveloped subdivision public improvements have been deteriorating over time. Since there are no actual residences using these improvements, there has been no public maintenance of the improvements. There is currently a Development Review Board application submitted for a Replat of the subdivision. (See Attachment #5).

IMPACT ANALYSIS

Departmental Responses.

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1). Transportation and Water Resources have stipulations for this abandonment, and are contained in Attachment #4.

Community Involvement.

The applicant has provided notification to 20 properties immediately adjacent to the subject property, all west of the 101 Freeway. At the time of the writing of this report, one property owner had called asking for general information on the case.

**STAFF
RECOMMENDATION**

Recommended Approach:

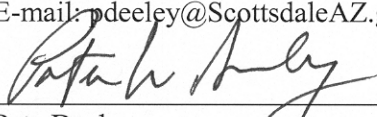
Staff recommends approval, subject to the attached stipulations (See Attachment #4).

**RESPONSIBLE
DEPT(S)
STAFF CONTACT(S)**

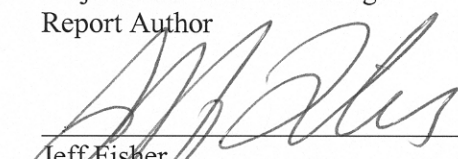
Planning and Development Services Department

Pete Deeley
Project Coordination Manager
480-312-2554
E-mail: pdeeley@ScottsdaleAZ.gov

APPROVED BY



Pete Deeley
Project Coordination Manager
Report Author



Jeff Fisher
Plan Review and Permit Services Director

ATTACHMENTS

1. Departmental Checklist
2. Context Aerial
3. Detail Aerial
4. Case Stipulations
5. Preliminary Plat Plan

CASE 2-AB-2003

Department Issues Checklist

Transportation

☒ Support- a new roadway system will be created at the time of the replat of the Colina Vista subdivision. The entry way and turn-around at the termination of Cholla Road will be approved through the City of Scottsdale Transportation Department. Cholla Road right-of-way will be abandoned east of the proposed subdivision right-of-way line. Transportation has stipulations included in Attachment #4 for approval of this case.

Trails

☒ Support- the City Trails Department has no requirements for this property in accordance with the City's Trails Master Plan.

Adjacent Property Owner Notification

☒ Support- The applicant noticed 20 immediately adjacent property owners. One adjacent property owner responded to the notifications sent and had no objection to the abandonment.

Public Utilities

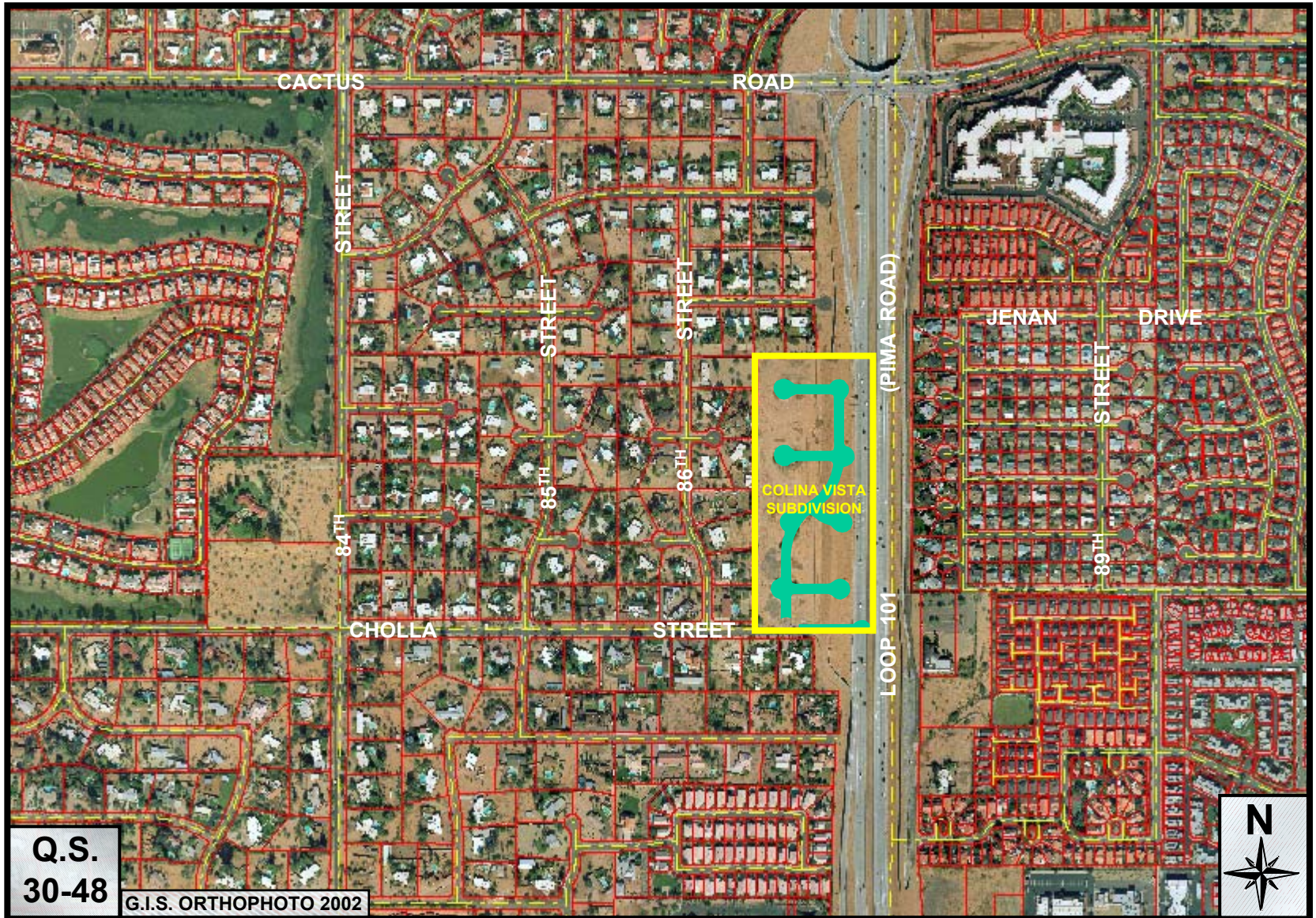
☒ Support- letters of consent to the abandonment are on file from the affected utilities.

Emergency/Municipal Services

☒ Support- the new street(s) created with a replat of the subdivision will be required to provide emergency and service vehicle access.

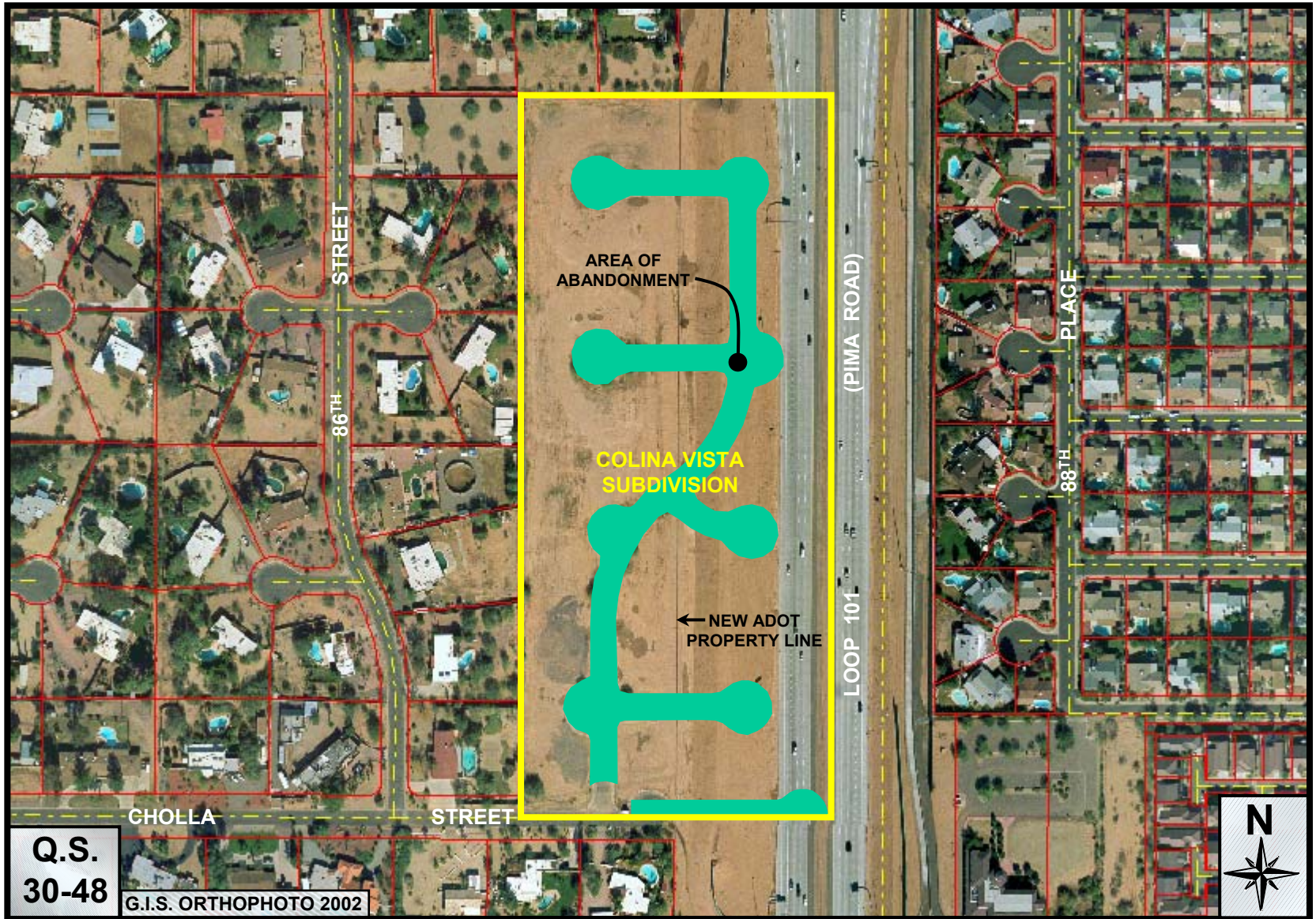
Water/Sewer Services

☒ Support- the Water Department supports this request subject to the stipulations contained in Attachment #4.



Colina Vista Subdivision

2-AB-2003



Colina Vista Subdivision

2-AB-2003

Stipulations for Case 2-AB-2003

1. Provide an acceptable cul-de-sac termination for Cholla Road either by a replat of the current subdivision, or by a separate right-of-way dedication.
2. Dedicate a 24 feet public utility easement along the full length of the eastern property line.
3. Dedicate a 20 feet water line easement over the water line main that connects to the existing main to the north of this development.
4. The existing water and sewer distribution infrastructure intended to serve the original Colina Vista subdivision will be abandoned.
5. Any abandoned asbestos cement water line shall be removed from the ground, and disposed of in accordance with the applicable environmental procedures.
6. Any abandoned sewer pipe that potentially may fall beneath a build-able portion of a lot shall be removed.
7. All caps and plugs at points of disconnection from the existing system shall be constructed per the requirements of the City's Water Operations Department
8. A design report will be submitted for review, and accepted by the city, detailing all proposed water and sewer improvements to the site prior to submittal of the improvement plans to the City of Scottsdale for review.
9. The abandonment of Cholla Road between the east side of the proposed cul-de-sac and the western edge of the ADOT right of way is subject to a letter of agreement from the property owner along the south side of this abandonment. The letter shall state that the south property owner is aware of, and supports, the following:
 1. The abandonment of the entire north side of the Cholla Road in the abandonment, described above.
 2. The north twenty (20) feet of the south forty feet of the Cholla Road remaining right of way will be used as follows:
 - A. A non-vehicular public access to be in the form of a ten (10) foot wide concrete path centered in the twenty feet.
 - B. An ADOT vehicular and equipment access.

The ten foot path in 2.A., above, shall be constructed by the applicant prior to the issuance of any City permit for construction of any dwelling unit in the proposed development located off the north side of the cul-de-sac. The path construction shall include the removal of the existing asphalt east of the proposed cul-de-sac.



Colina Vista Subdivision Preliminary Plat

2-AB-2003

ATTACHMENT #5

PLANNING COMMISSION REPORT



MEETING DATE: May 14, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

LA Fitness

REQUEST

Request for a conditional use permit for a health studio on a 5.5 +/- acre parcel located at 1900 N Scottsdale Road with Highway Commercial (C-3) zoning.

5-UP-2003

Key Items for Consideration:

- The new health studio building will replace an existing vacant building.
- Adequate parking will be provided.
- Traffic impacts will not be adverse.
- The property abuts commercial and multi-family land uses.
- This is an opportunity to revitalize an underutilized property in the McDowell/Scottsdale Road area.

OWNER

Scottswest Associates Inc

APPLICANT CONTACT

Jorge Calderon
Robert Kubicek Architects
602-955-3314

LOCATION

1900 N Scottsdale Rd

BACKGROUND

Zoning.

The site is zoned Highway Commercial District (C-3). The C-3 zoning district allows most types of commercial activities to serve a larger segment of population than the average neighborhood. Health studios require approval of a conditional use permit in the C-3 District.

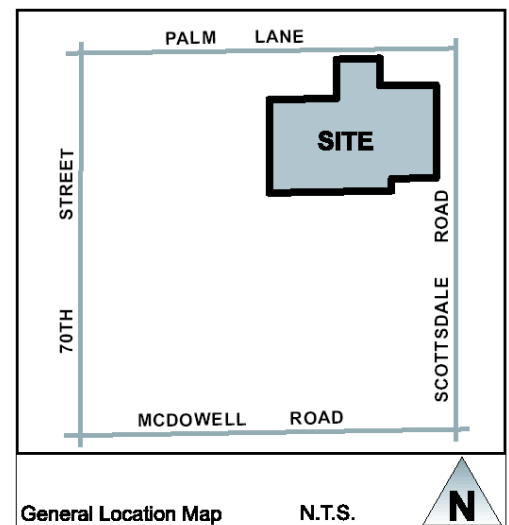
Context.

This property is located near the southwest corner of Scottsdale Road and Palm Lane. The surrounding area consists of commercial zoning and development to the north, east, and southwest, and there is multi-family housing development to the northwest.

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The applicant proposes to operate a health studio in a new 41,000 square-foot building. The proposed new building and parking lot will be in the same general configuration as the existing building and parking lot. However,



unlike the existing building, the new building's entrance will be at Scottsdale Road. New landscaping and parking areas are also proposed. LA Fitness plans to relocate from its current lease space near Miller and McDowell Roads to this location.

All of the proposed health studio activities will be indoors. The features of the health studio include aerobics, cardiovascular and weight equipment, sport courts, pool and spa facilities, juice and sandwich bar, lockers/changing rooms, and restrooms. The applicant proposes no limits to hours of operation, but usually operates between the hours of 5am and midnight.

Development information.

- *Existing Use:* Vacant retail building
- *Proposed Use:* New health studio building
- *Buildings/Description:* One building
- *Parcel Size:* 5.5 acres
- *Building Height Allowed:* 36 feet
- *Proposed Building Height:* 32 to 36 feet, 48-foot rotunda
- *Floor Area:* 41,000 sq.ft.
- *Parking:* 137 spaces are required, 299 are provided

IMPACT ANALYSIS

Traffic.

The applicant's data shows that the health club will produce 234 AM peak hour trips, 268 PM peak hour trips, and 2,678 daily trips. In comparison with three types of otherwise permitted development (medical – dental office, shopping center, and combination general office and shopping center), the health studio produced more morning peak hour trips than each of the three, less afternoon peak hour trips than two of the three, and less daily trips than each of the three.

Scottsdale Road in this area currently carries 45,000 vehicles per day, under its design capacity of 55,000. The main entrance on Scottsdale Road will be reconstructed to meet City design standards and will include a deceleration lane. Primary access to Scottsdale Road and secondary access to commercial property to the south and to Palm Lane to the north will help disperse traffic away from nearby residential neighborhoods. The proposed use will not create adverse traffic impacts on local streets.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration

shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - *This use does not generate smoke, odor, dust, vibration or illumination.*
 - *There are no external speakers or window openings. Noise from operations will be contained within the building.*
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - *The traffic generation analysis demonstrates that the use will not have a negative impact on traffic.*
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - *The project narrative and file contents do not lead to any other factors that could be materially detrimental to the public.*
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- *The use occurs entirely within an enclosed building and the operational characteristics will be compatible with the surrounding uses.*
 - *There will be double the amount of parking provided on the site than is required, which will help assure no parking will occur in the surrounding neighborhoods.*
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.
- No additional conditions are specified in the Zoning Code.*

Community involvement.

The applicant has contacted surrounding property owners regarding this proposal. A nearby property owner called to express support of the project. Another nearby property owner called expressing general support for the project but objecting to a 24-hour operation; the caller was also concerned about cut-through traffic in the area.

Community Impact.

This is an opportunity to revitalize a vacant property in the McDowell/Scottsdale Road area. The use will not have a negative impact on traffic.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.


**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Current Planning Services

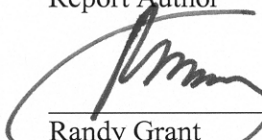
STAFF CONTACT(S)

Tim Curtis
Project Coordination Manager
480-312-4210
E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY



Tim Curtis
Project Coordination Manager
Report Author



Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Zoning Map
4. Stipulations
5. Additional Information
6. Traffic Impact Summary
7. Citizen Involvement
8. Site Plan

Project Summary

4/7/03

Use Permit Application
Proposed New LA Fitness
1900 N. Scottsdale Road
Scottsdale, Az

Proposed Use

The proposed LA Fitness sports fitness club facility property is located within the C-3 Highway Commercial District and the property presently is fully improved with parking and landscaping as well as an existing retail building of approximately 47,000 sf.

Existing Use

The existing retail building has been vacant for a number of years. It was previously utilized to operate an antique furniture mart and prior to that a Best Products store both of which were permitted uses within the C-3 Highway Commercial District. The existing improvements (building, landscaping and parking lot) will be removed and replaced by the proposed new LA Fitness sports fitness club facility and the associated parking lot and landscaping improvements which will comply with the current city zoning and development standards.

Use Permit

LA Fitness presently operates and has operated for a number of years a sports fitness club facility in the City of Scottsdale under Use Permit 19-UP-93 within a shopping center in a C-3 Highway Commercial District. We provide a needed service and amenity to the community of Scottsdale and always strive to be a good corporate neighbor.

The proposed new LA Fitness sports club facility includes *fitness studio* types of work out areas for weight, cardio, and circuit training (each designed with state of the art industry tested equipment), *racquetball/handball courts*, a *basketball court*, as well as *health studio* amenities such as a pool for lap swimming and water aerobics and a spa, and spinning and aerobics conditioning rooms. In addition, licensees and club staff provide personalized exercise training and conditioning programs, a juice and sandwich bar and sports and water physical therapy services. The club's amenities also include a kid's klub area for babysitting and childcare of member's children (only while they are using the club) as well as state of the art locker rooms with showers and saunas.

The C-3 Highway Commercial District permits *fitness studios and gymnasium, racquet, paddle or handball courts, medical offices, and restaurants*. Uses permitted by a conditional use permit include *health studios*. Since the proposed facility is essentially a combination of permitted uses and uses permitted by a conditional use permit a Use Permit is required.

It is LA Fitness' belief that the proposed mix of permitted and conditionally permitted uses will not be materially different from the services which it currently provides at its existing Scottsdale club nor be materially detrimental to the public health, safety or welfare for the following reasons:

1. The club will not create damage or nuisance from noise, smoke, odor, dust, vibration or illumination.

2. It will not create an impact on the surrounding areas resulting from an unusual volume or character of traffic (See below.)
3. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

Parking

There will be approximately 299 parking spaces provided as well as 14 bicycle parking spaces. 137 parking spaces are required by the city development standards. LA Fitness sports fitness club facilities of this size generally are operated with 250 to 300 parking stalls. Parking areas have been designed to separate pedestrian traffic from vehicle traffic as much as possible by providing a shaded pedestrian walkway from the main parking area to the building. The parking area landscaping and lighting has been designed to meet or exceed the city's requirements. Parking has been located away from the residential neighbors to the north.

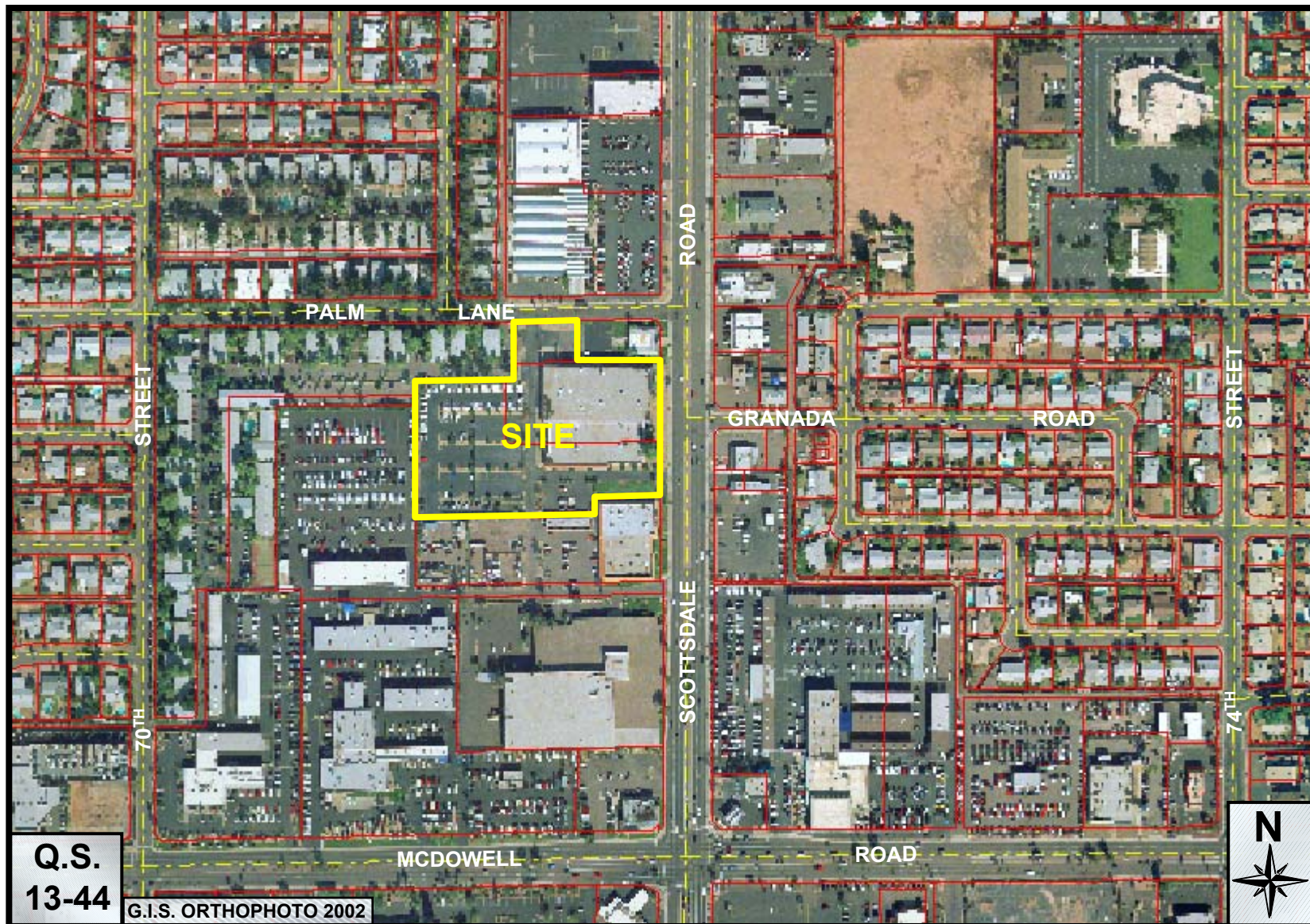
Design

The proposed LA Fitness sports fitness club building will be sited and oriented in approximately the same location as the existing building in order to maintain a relationship with the street consistent with the surrounding area while providing the required building setbacks and open space frontage as well as overall open space. The project will be the most recent project of redevelopment north of McDowell Road within this area of the city with substantial frontage along the west side of Scottsdale Road. The building's main entry feature rotunda will be oriented toward Scottsdale Road while still being readily visible from the parking area. The building's design reflects a contemporary use of traditional forms, a logical hierarchy of massing and materials with articulated massing of textured plaster walls, stepped canopies and parapets used in order to create shadow lines, deep reveals and visual interest in addition to the screening of the roof mounted mechanical equipment. The main entry to the club is located at the southeast corner of the building and includes a covered entry colonnade and canopy, which opens into the focal point rotunda entry feature and the interior rotunda reception area of the club. This rotunda feature creates a grand entry space accentuated by its large open feeling volume, stepped soffits, slate floor, and natural lighting from skylights. Glass block wall openings accentuate and complement the deeply recessed storefront openings located along the east and south elevations of the building flanking the entry rotunda. There are also steel awnings and canopy elements, which in addition to enhancing the building design with shadows and layers of massing also provide shade along sidewalks accessing the facility and add human scale to the building articulation. Many of these building design features also add to the buildings energy efficiency and its sensitivity to the environment. Low screen walls and drought tolerant desert adapted landscaping and forms including palm trees further add to the building's human scale and create a sense of place and arrival at the building entry plaza. In addition, a tree lined pedestrian walkway provides convenient shaded access from the main parking area to the entry plaza. Tree shaded pedestrian access to and from both public streets is provided as well as bicycle parking. Public transportation is within walking distance. The building color palette includes colors, which reflect the character of the Sonoran desert environment and landforms of this area as well as accents of vibrant color to enrich the overall texture of the building and its materials. Building signage has been located and designed to be integral to the color scheme as well as proportional and complementary to its background and location. A project monument sign designed to complement the building materials and forms will be located at the easterly access entry point on Scottsdale Road. Street set backs, front open space and overall open space have all been articulated, landscaped and located in order to enhance the site's overall design. Site and building lighting (urban-high ambient light level while remaining sensitive to our residential neighbors to the north and the pertinent light trespass limitations) have been designed both to provide safe and

adequate lighting for LA Fitness' members, but also to enhance the overall site landscaping and building design features.

Traffic Generation Comparative Analysis

The project is accessible from three points of entry: Scottsdale Road on the east frontage, Palm Lane on the north frontage, and the public alley on the south. The Scottsdale Road entry includes an approximately 65 feet deep entry throat for clear access into the site as well as a proposed deceleration lane for southbound traffic. The Palm Lane entry also provides a deep entry throat. Full turning movements are available to and from both Scottsdale Road and Palm Lane. Kimley-Horn has completed a comparative traffic analysis of the trips, which would be generated by permitted uses within the C-3 District including medical dental office, general office and retail. The hypothetical sizes of each respective type of development alternative were arrived at based upon the city's development code relative to parking required as well as floor area/density ratios and maximum height requirements. The results of the trip generation comparison analysis show that all three alternatives generate more traffic on a daily basis than the proposed fitness center. The trip generation of the shopping center and the shopping center/office alternatives is expected to be over 50 percent more than the fitness center in the daily and PM peak hour analysis. Based on the results of the analysis, the proposed fitness center will have less impact on the adjacent street system than the other three alternatives evaluated. Note that the analysis treated the fitness center as a use requiring a conditional use permit and did not segregate the proportions of the permitted uses and conditionally permitted uses and their respective pro rata shares of the trips generated.



LA Fitness

5-UP-2003

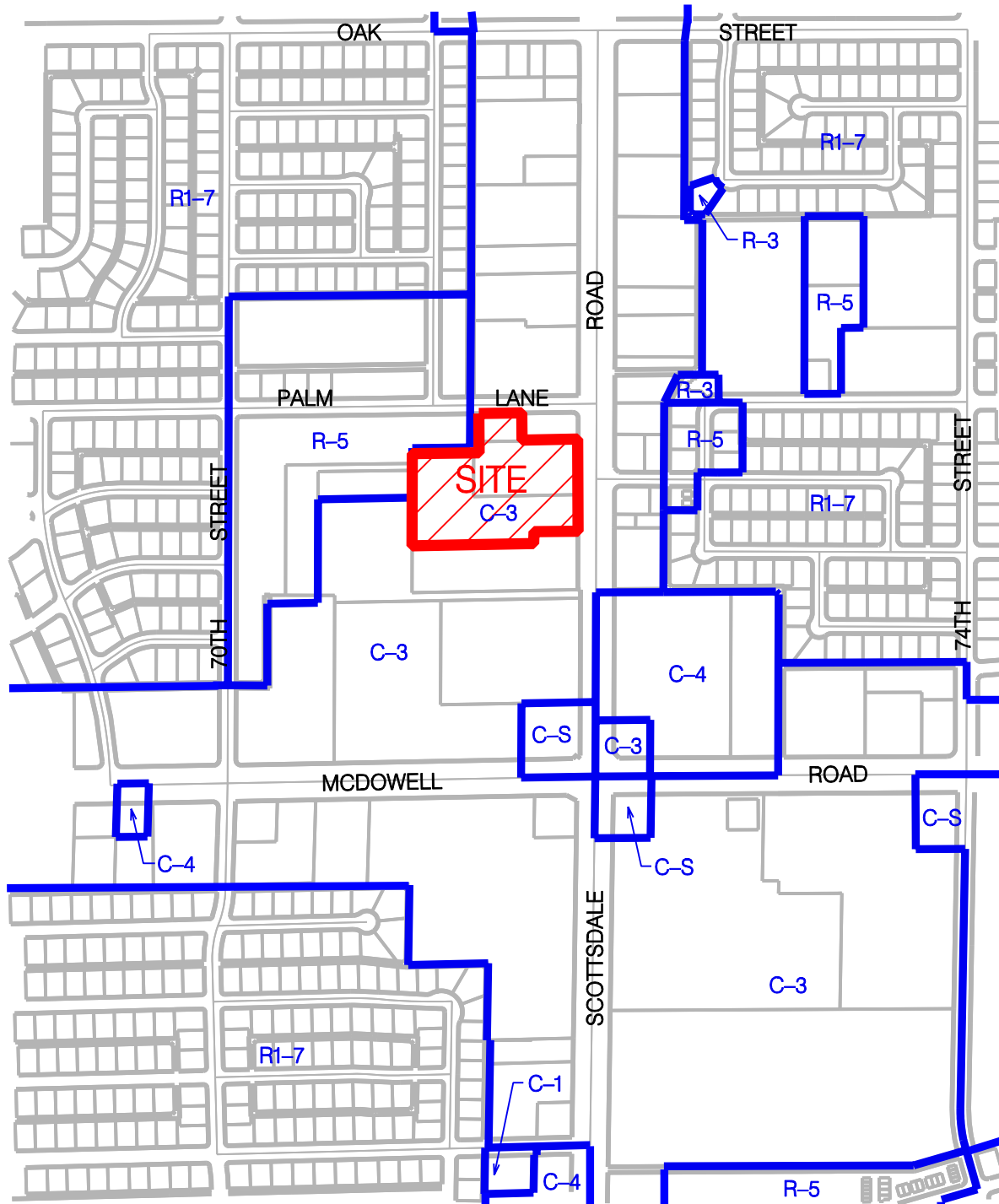
ATTACHMENT #2



LA Fitness

5-UP-2003

ATTACHMENT #2A



5-UP-2003
ATTACHMENT #3



STIPULATIONS FOR CASE 5-UP-2003

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO DEVELOPMENT SUBMITTAL. Development shall conform with the site plan submitted by Robert Kubicek Architects and Associates and receipt dated by City staff 4/7/2003. These stipulations, Zoning Ordinance requirements, corrections of minor errors, and more restrictive Development Review Board stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. LIGHTING. No individual luminaire shall exceed 250 watts. With the Development Review Board Submittal, the developer shall incorporate into the project's design, to the satisfaction of the project coordinator, the following stipulations:

Parking Lot and Site Lighting:

- 2.1 The maintained average horizontal illuminance level, at grade on the site shall not exceed 2.5 foot-candles.
- 2.2 The maintained maximum horizontal illuminance level, at grade on the site, shall not exceed 10.00 foot-candles. All exterior luminaries shall be included in this calculation.
- 2.3 The initial vertical illuminance at 6.0 foot above grade, along the entire perimeter of the property line (or 1 foot outside of any block wall exceeding 5 foot in height) shall not exceed 2.5 foot-candles. All exterior luminaries shall be included in this calculation.
- 2.4 The lenses of all luminaries shall meet all IESNA requirements for full cutoff, shall be aimed downward and away from property line.
- 2.5 Fixture height, as measure from grade to the fixture lens shall not exceed 20 feet.
- 2.6 Photometric studies shall provide point-by-point meter readings up to the property line with a maximum 10'-0" spacing between readings.

Building Mounted Lighting

- 2.7 All luminaries shall meet all IESNA requirements for full cutoff.
- 2.8 All luminaries shall be recessed or shielded so the light source is not directly visible from property line.
- 2.9 The maintained average horizontal illuminance at grade along the storefront including any spill light from store interior shall not exceed current IESNA recommended practice.

CIRCULATION

1. DRIVEWAYS AND PARKING. The Scottsdale Road driveway entrance to the site shall be a CH-1 type driveway. The developer shall construct a deceleration lane in conjunction with the above site's driveway entrance on Scottsdale Road. The first row of parking spaces west of Scottsdale Road shall be positioned at a minimum of 50 feet distance from the driveway entrance off Scottsdale Road.
2. STREET CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
SCOTTSDALE RD.	75 feet	Deceleration Lane	

3. ACCESS RESTRICTIONS. Before issuance of any certificate of occupancy for the site, the developer shall construct access to the site in conformance to the following restrictions:
 - a. Scottsdale Road - The developer shall dedicate a one foot wide vehicular non-access easement on this street except at the approved street entrance.
 - b. Scottsdale Road - There shall be a maximum of one site driveway[s] from Scottsdale Rd.
4. AUXILIARY LANE CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lanes at all site entrances on Scottsdale Road, in conformance with the Design Standards and Policies Manual.
5. EASEMENT REQUIREMENTS. Before any final plan approval, the developer shall dedicate an ingress/egress easement over the existing drive in the central part of this site to provide access to the south in a form acceptable to city staff.
6. PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a Pedestrian Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and width of all sidewalks and pedestrian pathways.

DRAINAGE AND FLOOD CONTROL

1. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - e. Include a discussion about total discharge time from basins into the street catch basin and the proposed flow rate (not to exceed 1 c.f.s.).

ADDITIONAL INFORMATION FOR CASE 5-UP-2003

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES.** The approved development program, including intensity, may be changed due to drainage issues and other site planning concerns which will need to be resolved at the time of site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed development program.
2. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. building design,
 - b. wall and/or fence design along property lines shared with residential uses,
 - c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use, and
 - d. improvement plans for open space, buildings and/or walls, parking areas, and amenities such as ramadas, landscaping, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
3. **LOT TIE/SPLIT.** At the time of final plans submittal, the developer will need to submit evidence of (an) approved lot-tie(s) and or lot split(s). The approved lot-ties / lot-splits will create parcel(s) individually in conformance with all Zoning Ordinance requirements for approved development; with access rights; and all maintenance responsibilities accounted for. All of the preceding will need to be completed to the satisfaction of final plans review staff.
3. The building height will need to be revised as necessary to conform to Zoning Ordinance requirements, related City Policy, and related Ordinance Interpretations.

Staff Report - Transportation Impact
5-UP-2003
LA Fitness

Zoning application, conditional use for health studio
Southwest quadrant of the Scottsdale Road / Palm Lane intersection
Use of existing structures; with parking and driveway modifications
5/24/03

Scottsdale Road and Access

This is a reuse of an existing commercial facility as a health club. Access to Scottsdale Road will continue to be via Palm Lane, with direct Scottsdale Road access from the middle and the south driveways. Scottsdale Road consists of three lanes northbound and three lanes southbound, divided by a flush red paver pattern median. Left turn access points are differentiated from the flush median pattern and color, having a similar color and surface as the through lanes. The left turn access points for this site are at the north (Palm Lane) and south sides of the site. The center entrance, opposite a flush median section of Scottsdale Road, should function as a right in and right out entrance, although there will be no structural prohibition for left turns out onto the flush median. This center entrance will be reconstructed to meet City design standards and will include a deceleration lane. Scottsdale Road in this area currently carries 45,000 vehicles per day, under its design capacity of 55,000. The morning peak of Scottsdale Road is 7-8 @ 3,800 vehicles, with afternoon peak 5-6 @ 5,700 vehicles.

Comparative Trip Generation

The applicant's data shows that the health club will produce 234 AM peak hour trips, 268 PM peak hour trips, and 2,678 daily trips. A comparative analysis has been provided showing the trip production of a health club use versus three types of otherwise permitted development. The three comparative uses include a medical – dental office, a shopping center, and a combination general office and shopping center. In comparison with these three permitted uses, the health studio produced more morning peak hour trips than each of the three, less afternoon peak hour trips than two of the three, and less daily trips than each of the three.

Conclusion

This conditional use, pursuant to the wording of the Zoning Ordinance, will not have a negative "impact on surrounding areas resulting from an unusual volume or character of traffic."

- Improved access
- Scottsdale Road - excess capacity
- Proposed conditional use - generally producing fewer trips than permitted uses
- Less comparative traffic generated in busier PM peak hour

LA Fitness International, LLC

8105 Irvine Center Drive, Suite 200
Irvine, CA 92618
(949) 255-7440, fax (949) 725-0783

RE: Use Permit Application
Proposed LA Fitness
1900 N. Scottsdale Road
Scottsdale, Az

4/7/03

To whom it may concern:

An application for a **Use Permit** for a proposed new LA Fitness sports fitness club facility has been submitted by LA Fitness International, LLC to the City of Scottsdale Planning Department. The scope and nature of the project is summarized on the attached Project Summary and depicted on the attached site plan, floor plan, and elevations.

LA Fitness currently operates over 75 sports fitness club facilities in California, Arizona, and along the east coast of the United States.

LA Fitness is proposing to construct a new 41,000 sf (38,000 sf plus 3,000 sf mezzanine) sports fitness club facility on a 5.6ac property located at 1900 N Scottsdale Road (west side of the street just south of Palm Lane and north of McDowell Road). The existing property is comprised of three adjacent parcels, which will be consolidated into one parcel via a Lot Tie by application to staff after the approval of the proposed Use Permit, DRB design approval, and prior to the issuance of a building permit for the proposed facility.

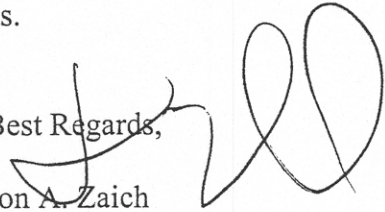
Please feel free to review these materials and if you have any questions or comments about the proposed project please do not hesitate to contact Tim Curtis, City of Scottsdale Planning Department or me, Jon Zaich, at 949-244-3712. If you have comments and or questions which you would prefer to have included as a part of the formal review process and public record you may also direct them in writing to:

Mr. Tim Curtis
Planner and Project Coordinator
City of Scottsdale Planning Department
7447 E. Indian School Road, Suite 105
Scottsdale Road,
City of Scottsdale, Az 85251

Fax 480-312-7088
Tel 480-312-4210
tcurtis@ci.scottsdale.az.us

A neighborhood meeting to present the proposed project to the neighbor area and to receive public comments has also been planned for the evening of at at from to . Please feel free to join us.

Best Regards,


Jon A. Zaich
Development Manager
On behalf of
LA Fitness International, LLC

Cc
Ed Gawf, Assistant City Manager
Tim Curtis, Planner Project Coordinator
City of Scottsdale

Project Summary

Use Permit Application
Proposed New LA Fitness
1900 N. Scottsdale Road
Scottsdale, Az

4/7/03

Proposed Use

The proposed LA Fitness sports fitness club facility property is located within the C-3 Highway Commercial District and the property presently is fully improved with parking and landscaping as well as an existing retail building of approximately 47,000 sf.

Existing Use

The existing retail building has been vacant for a number of years. It was previously utilized to operate an antique furniture mart and prior to that a Best Products store both of which were permitted uses within the C-3 Highway Commercial District. The existing improvements (building, landscaping and parking lot) will be removed and replaced by the proposed new LA Fitness sports fitness club facility and the associated parking lot and landscaping improvements which will comply with the current city zoning and development standards.

Use Permit

LA Fitness presently operates and has operated for a number of years a sports fitness club facility in the City of Scottsdale under Use Permit 19-UP-93 within a shopping center in a C-3 Highway Commercial District. We provide a needed service and amenity to the community of Scottsdale and always strive to be a good corporate neighbor.

The proposed new LA Fitness sports club facility includes *fitness studio* types of work out areas for weight, cardio, and circuit training (each designed with state of the art industry tested equipment), *racquetball/handball courts*, *a basketball court*, as well as *health studio* amenities such as a pool for lap swimming and water aerobics and a spa, and spinning and aerobics conditioning rooms. In addition, licensees and club staff provide personalized exercise training and conditioning programs, a juice and sandwich bar and sports and water physical therapy services. The club's amenities also include a kid's klub area for babysitting and childcare of member's children (only while they are using the club) as well as state of the art locker rooms with showers and saunas.

The C-3 Highway Commercial District permits *fitness studios and gymnasium, racquet, paddle or handball courts, medical offices, and restaurants*. Uses permitted by a conditional use permit include *health studios*. Since the proposed facility is essentially a combination of permitted uses and uses permitted by a conditional use permit a Use Permit is required.

It is LA Fitness' belief that the proposed mix of permitted and conditionally permitted uses will not be materially different from the services which it currently provides at its existing Scottsdale club nor be materially detrimental to the public health, safety or welfare for the following reasons:

1. The club will not create damage or nuisance from noise, smoke, odor, dust, vibration or illumination.
2. It will not create an impact on the surrounding areas resulting from an unusual volume or character of traffic (See below.)
3. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

Parking

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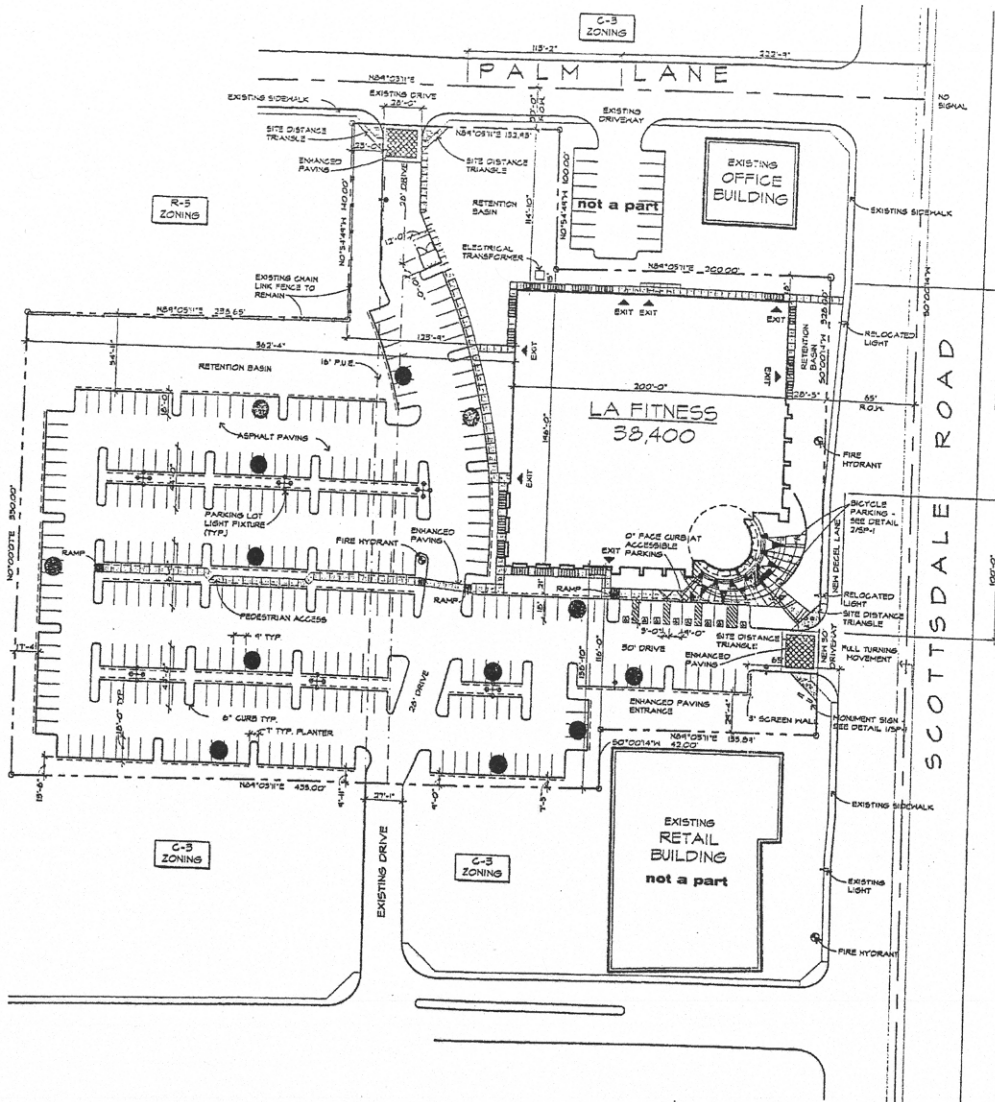
Design

The proposed LA Fitness sports fitness club building will be sited and oriented in approximately the same location as the existing building in order to maintain a relationship with the street consistent with the surrounding area while providing the required building setbacks and open space frontage as well as overall open space. The project will be the most recent project of redevelopment north of McDowell Road within this area of the city with substantial frontage along the west side of Scottsdale Road. The building's main entry feature rotunda will be oriented toward Scottsdale Road while still being readily visible from the parking area. The building's design reflects a contemporary use of traditional forms, a logical hierarchy of massing and materials with articulated massing of textured plaster walls, stepped canopies and parapets used in order to create shadow lines, deep reveals and visual interest in addition to the screening of the roof mounted mechanical equipment. The main entry to the club is located at the southeast corner of the building and includes a covered entry colonnade and canopy, which opens into the focal point rotunda entry feature and the interior rotunda reception area of the club. This rotunda feature creates a grand entry space accentuated by its large open feeling volume, stepped soffits, slate floor, and natural lighting from skylights. Glass block wall openings accentuate and complement the deeply recessed storefront openings located along the east and south elevations of the building flanking the entry rotunda. There are also steel awnings and canopy elements, which in addition to enhancing the building design with shadows and layers of massing also provide shade along sidewalks accessing the facility and add human scale to the building articulation. Many of these building design features also add to the buildings energy efficiency and its sensitivity to the environment. Low screen walls and drought tolerant desert adapted landscaping and forms including palm trees further add to the building's human scale and create a sense of place and arrival at the building entry plaza. In addition, a tree lined pedestrian walkway provides convenient shaded access from the main parking area to the entry plaza. Tree shaded pedestrian access to and from both public streets is provided as well as bicycle parking. Public transportation is within walking distance. The building color palette includes colors, which reflect the character of the Sonoran desert environment and landforms of this area as well as accents of vibrant color to enrich the overall texture of the building and its materials. Building signage has been located and designed to be integral to the color scheme as well as proportional and complementary to its background and location. A project monument sign designed to complement the building materials and forms will be located at the easterly access entry point on Scottsdale Road. Street set backs, front open space and overall open space have all been

articulated, landscaped and located in order to enhance the site's overall design. Site and building lighting (urban-high ambient light level while remaining sensitive to our residential neighbors to the north and the pertinent light trespass limitations) have been designed both to provide safe and adequate lighting for LA Fitness' members, but also to enhance the overall site landscaping and building design features.

Traffic Generation Comparative Analysis

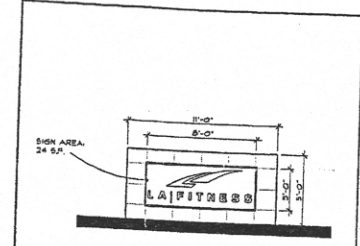
The project is accessible from three points of entry: Scottsdale Road on the east frontage, Palm Lane on the north frontage, and the public alley on the south. The Scottsdale Road entry includes an approximately 65 feet deep entry throat for clear access into the site as well as a proposed deceleration lane for southbound traffic. The Palm Lane entry also provides a deep entry throat. Full turning movements are available to and from both Scottsdale Road and Palm Lane. Kimley-Horn has completed a comparative traffic analysis of the trips, which would be generated by permitted uses within the C-3 District including medical dental office, general office and retail. The hypothetical sizes of each respective type of development alternative were arrived at based upon the city's development code relative to parking required as well as floor area/density ratios and maximum height requirements. The results of the trip generation comparison analysis show that all three alternatives generate more traffic on a daily basis than the proposed fitness center. The trip generation of the shopping center and the shopping center/office alternatives is expected to be over 50 percent more than the fitness center in the daily and PM peak hour analysis. Based on the results of the analysis, the proposed fitness center will have less impact on the adjacent street system than the other three alternatives evaluated. Note that the analysis treated the fitness center as a use requiring a conditional use permit and did not segregate the proportions of the permitted uses and conditionally permitted uses and their respective pro rata shares of the trips generated.



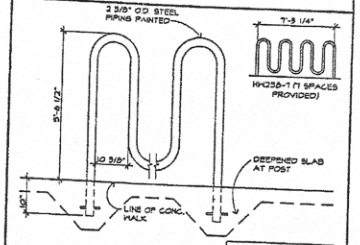
preliminary site plan
scale: 1" = 40'-0"

site data

ZONING:	C-3
GROSS SITE AREA:	5.60 ACRES (243,740 S.F.)
NET SITE AREA:	5.00 ACRES (217,892 S.F.)
BUILDING AREA:	38,400 S.F.
SITE COVERAGE:	19.9%
PARKING REQUIRED: (1/500)	157 SPACES
PARKING PROVIDED:	249 SPACES
ACCESSIBLE SPACES REQUIRED:	7 SPACES
ACCESSIBLE SPACES PROVIDED:	8 SPACES
OPEN SPACE REQUIRED	59,793 S.F.
OPEN SPACE PROVIDED	54,089 S.F.
BICYCLE PARKING REQUIRED	14 SPACES
BICYCLE PARKING PROVIDED	14 SPACES



1 monument sign elevation
SCALE: 1/4" = 1'-0"



2 bicycle rack
SCALE: 3/4" = 1'-0"



vicinity map

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PREPARED BY
CONSTRUCTION OR RECORDING
DATE 03-11-03

LA FITNESS
1900 N. Scottsdale Road
Scottsdale, Arizona

SPORTS CLUBS

E #196-PA-2002

Design: ROK
Drawn: ROK
Check: JAC
1201

PLANNING COMMISSION REPORT



MEETING DATE: May 14, 2003

ITEM NO. _____ GOAL: Preservation and Character

SUBJECT

Sign Ordinance Text Amendment

REQUEST

Request to approve a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article VIII, Sign Requirements.

7-TA-2002

Key Items for Consideration:

City Council requested at study session that the sign issues addressed in this text amendment return for further consideration. These sign ordinance issues originated from comments made by the City Council, citizens, and business community. Staff is not recommending increases in total square footage of signage, but is introducing new flexibilities on how to utilize existing sign budgets. Additionally, some revisions to the street banner regulations have been made. The sign ordinance amendments include:

- Making the ordinance more user friendly by adding graphics and a table of contents
- Addressing community concerns relative to visual clutter by reducing the size of temporary signs
- Allowing the Development Review Board additional discretion in aesthetic considerations regarding sign placement on building walls while not increasing allowable sign area
- Allowing a variety of properties to utilize a new mid-size monument sign that is larger than current monument signs and lower in height than the current tower sign
- Allowing up to 3 tenant names, in addition to identifying the building or complex name, on mid-size monument and tower signs
- Responding to changes in marketing identification requirements for auto dealers
- Clarifying regulations related to special event street banners

Related Policies, References:

A Scottsdale Sensitive Design Principle suggests that signage should consider the distinctive qualities and character of the surrounding context and should be designed to be complementary to the architecture, landscaping, and design theme for the site. Visibility and legibility of the signs should also be considered.

APPLICANT CONTACT

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City of Scottsdale
480-312-7619

Curtis Kozall
City of Scottsdale
480-312-7034

LOCATION

City-Wide

BACKGROUND

The sign ordinance has been viewed as a model resulting in attractive permanent signage that has complemented rather than dominated the City's streetscapes. This review of the sign ordinance is analyzing several ideas to keep the ordinance consistent with new community/business trends, and is responding to City Council's direction to bring back the issue of temporary signage.

While staff conducted further review of the temporary sign text amendment, sign applicants, the business community, and citizens identified other sign issues. This resulted in a new text amendment initiation since additional sign issues are being addressed.

On December 11, 2002, the Planning Commission initiated this text amendment to the sign ordinance. On February 10, 2003, staff presented the key items discussed above to the City Council. The attached amendment responds to City Council's comments at the study session.

PROPOSAL**Goal/Purpose of Request.**

The goal of this text amendment is to update the sign ordinance by responding to City Council, citizen, and business community concerns.

The following provides an assessment of each proposed change to the sign regulations in the Zoning Ordinance:

- Making the sign ordinance more user friendly: The addition of a table of contents for the sign ordinance is intended to make these regulations easier to use. Graphics have been added to the definition section of the sign ordinance to clarify the meaning of defined terms, making the sign requirements easier to understand and apply.
- Reducing the size of temporary signs and considering temporary signs in two categories-temporary and semi-permanent: A variety of concerns and comments from citizens and groups, such as the Friends of the Scenic Corridor, have been received regarding removing signs, such as political signs and off-site development signs, from the rights-of-way to reduce visual clutter along City streets. Staff's proposal categorizes temporary signs into two types: temporary and semi-permanent. Temporary signs, such as political signs, are defined as signs that are made from materials that deteriorate and can cause litter problems; therefore, they are limited to six months in duration. On the other hand, semi-permanent signs, such as off-site development signs, are made of more durable, although not permanent, materials and may be allowed for longer periods of time. This is because they will not deteriorate as quickly and result in litter or public safety problems as readily as temporary signs. Temporary and semi-permanent signs have generally been reduced in size from 48-24 square feet to 16 square feet. Certain signs, such as Off-Premise Open House Directional Signs and On-Premise Sale, Lease, and Rent signs, remain smaller.

With this proposal, temporary signs are allowed in the right-of-way subject to sight visibility criteria (e.g. non sight-obstructive). However, all temporary signs will require a sticker, obtained from the City, that will identify the date the sign was erected and the party responsible for the sign's installation and removal.

In addition, an encroachment permit is required for signs in the right-of-way. For example, political signs will require an encroachment permit. The party applying for the permit will submit a map or maps showing the locations of the proposed signs. Multiple sign locations could be covered by one permit. A certificate of insurance, satisfactory to the Risk Management Director, is typically required for encroachment permits for liability protection. Comments from our Risk Management Department indicate, however, that they do not feel it is necessary for political signs to require an insurance certificate. Semi-permanent signs are not allowed in the right-of-way (see Attachment 4a-4c).

- Allowing additional Development Review Board flexibility: A revision has been made which allows the Development Review Board some flexibility regarding sign placement on building walls. Currently, the Ordinance requires that signs be placed only on appropriate tenant spaces. This flexibility allows signage for tenants who have no street exposure to have a wall sign placed on another location, and allows the Development Review Board discretion to approve sign placement that responds to the building's design and site. This will allow signs to be located in groupings, where visible and appropriate to the building's design, rather than only placed over tenant spaces (see Attachment 3).

Another revision relating to Development Review Board flexibility occurs with the existing Community Sign District program, which is designed to address the sign requirements of large projects over 300,000 square feet. Currently, the Development Review Board has the ability to increase the sign area by ten (10) percent. This proposal will allow the Development Review Board to increase the sign area up to twenty (20) percent. Community Sign District comprehensive sign programs currently exist for Fashion Square and the Scottsdale Autoplex, and could apply to other large developments such as the Stacked 40s project.

- The addition of a new, medium-sized, free-standing sign: This revision allows multiple tenant buildings/complexes over 30,000 square feet in building area, and hotels with 101 rooms or more to have a mid-size monument sign. The new sign type has a maximum height of 8-12 feet and a maximum sign area of 60 square feet. This sign type requires a 10-foot setback from the property line and is placed in a landscaped area of 240 square feet. The mid-size monument sign is lower than the current tower sign, which ranges from 15 to 25 feet in height and has a 12 square foot larger sign area. This provides an alternative sign type to the business community.

Only one freestanding sign type is allowed for these types of uses per street frontage. Therefore, a business could not have both a mid-size monument and tower sign on the same street frontage where those sign choices exist (see Attachment 5A and 5B).

- Allowing up to 3 tenant names in addition to identifying the building or complex: A revision has been made to allow up to 3 tenant names on the mid-size monument and tower sign types in addition to identifying the building or complex. This is considered useful to the business community who may wish to identify certain key tenants (see Attachment 6).
- Auto dealer signage: Staff, along with Economic Development, has suggested changing the regulations to allow dealers to have more than one monument sign per street frontage to identify the various manufacturers contained in their dealership. Staff has revised the section pertaining to automobile manufacturer signs to allow dealerships to have up to three free-standing monument signs (each in a landscaped setting) to allow dealerships to identify the various manufacturers. The amendment includes a separation requirement of 100 feet between these signs. The current ordinance allows manufacturers to be placed on one freestanding sign. Staff has not changed the sign height or area of the automobile manufacturer sign, which are 7 feet and 42 square feet respectively (see Attachment 7). The total sign square footage allowed for the site will not increase.
- Special Event Signage: Staff has reviewed the sign regulations for special event signs. Sign regulations have been slightly modified for special event street banners only. Clarifications to the street banner section include:
 1. An amendment to the appeal process that is consistent with the special event permit appeal process. This change removes the appeal from the City Council and places it before the Zoning Administrator.
 2. An amendment to allow an event to utilize both horizontal street banner locations if there is no request for the other location.
 3. An amendment that removes the provision requiring vertical and horizontal banners installed in the same area to identify the same event. This will allow more than one event to be identified.

Downtown signage was originally identified as an issue to be considered with this amendment; however, it will be reviewed with other downtown issues at a later time.

IMPACT ANALYSIS

Policy Implications:

Approval of the amendment will allow additional flexibility for building sign placement and will result in improved integration between signage and building design. New sign opportunities are created by providing the new mid-size monument sign type and allowing some tenant or manufacturer

identification on some sign types without increasing the overall sign area allowance. The amendment also generally reduces the size of temporary signs and divides them into two categories: temporary and semi-permanent. Temporary signs may be allowed in the right-of-way and semi-permanent signs are prohibited in the right-of-way. Additionally, street banner regulations are clarified.

Community Involvement. Community involvement is detailed in the Citizen Review Report attached.

Comments from January 14, 2003 meeting with the Coalition of Pinnacle

Peak: Four comment cards were received.

Comments from January 15, 2003: Ten comment cards were received.

Comments from January 22, 2003: Two comment cards were received.

Mail out of draft amendment April 8-9, 2003: A brief explanation with the draft amendment text was e-mailed to interested parties.

**STAFF
RECOMMENDATION
RESPONSIBLE
DEPT(S)**

Staff recommends approval.

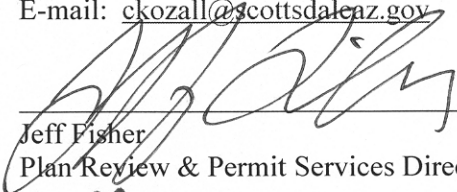
Planning and Development Services Department
Plan Review and Permit Services

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APPROVED BY


Jeff Fisher
Plan Review & Permit Services Director


Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Proposed Text Amendment
2. Citizen Involvement
3. DRB Flexibility Example
- 4A. Temporary Sign Example- Existing
- 4B. Temporary Signs in R.O.W. & outside R.O.W.
- 4C. Temporary Sign Size Comparison
- 5A. Freestanding Signs Existing
- 5B. Proposed Freestanding Mid-Size Monument Sign
6. Proposal for 3 Tenant Names
7. Auto Dealer Signage

ADD NEW TABLE OF CONTENTS TO ARTICLE VIII

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8.102	Requirement of Conformity.....	
8.103	Non-Conforming Signs.....	
8.104	Penalties for Violations.....	
8.105	Revocation of Permits.....	
8.106	Removal of Signs.....	
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	Terms Defined.....	
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8.400	GENERAL REQUIREMENTS	
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8.405	Wall Signs.....	
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	Traffic Hazard.....	
	Street Placement.....	
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8.409	Traffic Directional Signs.....	
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8.411	Scenic Corridor.....	
8.412	Awning Signs.....	
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8.417	Window Signs.....	
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SECTION NUMBER	TITLE	PAGE NUMBER(S)
8.538	Medical Facilities – Gross Floor Area of One Hundred Thousand (100,000) Square Feet or Greater.....	
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ARTICLE VIII.

SIGN REQUIREMENTS

Sec. 8.100. ADMINISTRATION.

Sec. 8.101. Purpose.

I. IT SHALL BE THE PURPOSE OF THIS CHAPTER TO PROMOTE AND PROTECT THE GENERAL HEALTH, SAFETY, WELFARE AND COMMUNITY ENVIRONMENT BY ESTABLISHING A COMPREHENSIVE SYSTEM FOR THE REGULATION ON ALL ADVERTISING DEVICES, DISPLAYS, SIGNS AND THEIR HOUSING, STRUCTURE OR FORM, WHILE MAINTAINING OR IMPROVING ECONOMIC STABILITY THROUGH AN ATTRACTIVE SIGN PROGRAM. IT IS ALSO THE PURPOSE OF THIS CHAPTER TO PROTECT THE GENERAL PUBLIC FROM DAMAGE AND INJURY WHICH MAY BE CAUSED BY THE FAULTY AND UNCONTROLLED CONSTRUCTION OF SIGNS WITHIN THE CITY; TO PROTECT PEDESTRIANS AND MOTORISTS OF THE CITY OF SCOTTSDALE FROM DAMAGE OR INJURY CAUSED, OR PARTIALLY ATTRIBUTABLE TO THE DISTRACTIONS AND OBSTRUCTIONS CAUSED BY IMPROPERLY SITUATED SIGNS; TO PROMOTE THE PUBLIC SAFETY, WELFARE, CONVENIENCE AND ENJOYMENT OF TRAVEL AND THE FREE FLOW OF TRAFFIC WITHIN THE CITY OF SCOTTSDALE.

II. IT IS ALSO THE INTENT OF THIS CHAPTER TO ENHANCE OR CREATE A MORE ATTRACTIVE AND MEANINGFUL BUSINESS CLIMATE; TO PROMOTE AND AID THE CITY'S IMPORTANT TOURIST INDUSTRY; TO ENHANCE, PROTECT, AND MAINTAIN THE PHYSICAL AND NATURAL BEAUTY OF THE COMMUNITY INCLUDING ITS SCENIC PRESERVES; TO PRESERVE THE BEAUTY AND UNIQUE CHARACTER OF THE CITY OF SCOTTSDALE, AND TO ENSURE THAT SIGNAGE IS CLEAR, COMPATIBLE WITH THE CHARACTER OF THE ADJACENT ARCHITECTURE AND NEIGHBORHOODS AND PROVIDES THE ESSENTIAL IDENTITY OF, AND DIRECTION TO, FACILITIES IN THE COMMUNITY.

~~The purpose of this ordinance is to establish standards for the regulation of signs within the City of Scottsdale in order to safeguard the public interest:~~

- ~~———— (a) ——— To protect property values within the City of Scottsdale;~~
- ~~———— (b) ——— To preserve the beauty and the unique character of the City of Scottsdale;~~
- ~~———— (c) ——— To promote and aid in the tourist industry which is of great importance to the economy of the City of Scottsdale;~~
- ~~———— (d) ——— To protect the general public from damage and injury which may be~~

DRAFT TEXT AMENDMENT 7-TA-2002

~~caused by the faulty and uncontrolled construction of signs within the city;~~

- ~~———— (e) ——— To protect pedestrians and motorists of the City of Scottsdale from damage or injury caused, or partially attributable to the distractions and obstructions caused by improperly situated signs;~~
- ~~———— (f) ——— To promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the City of Scottsdale;~~
- ~~———— (g) ——— To ensure that signage is clear, compatible with the character of the adjacent architecture and neighborhoods and provides the essential identity of, and direction to, facilities in the community.~~

Sec. 8.200. DEFINITIONS. (Note: Graphics in definition section added with 7-TA-2002)

Abandoned sign. A sign located on a property or premises which is vacant and unoccupied for a period of three (3) months, or a sign which is damaged, in disrepair, or vandalized and not repaired within thirty (30) days of the date of the damaging event.

Airport. Those areas included within the perimeter fence of the Scottsdale Municipal Airport property.

Animation. The movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a sign; the movement of a sign set in motion by the atmosphere. Time and temperature devices shall be considered animated signs. Banners and flags shall be exempted from this definition.

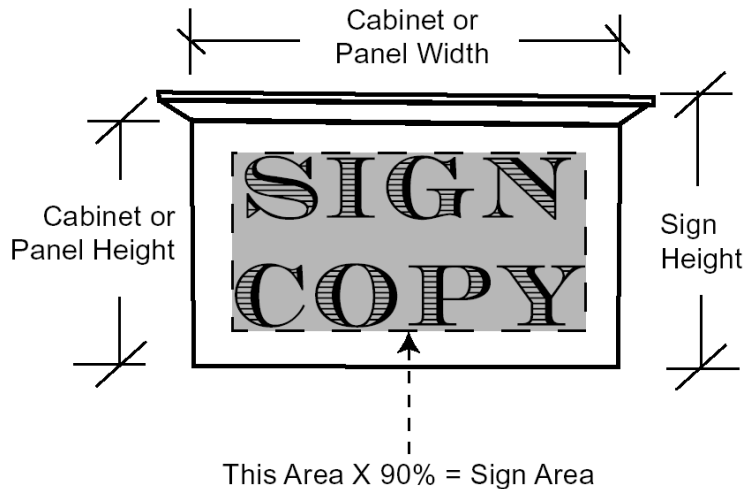
Applicant. A person or entity who applies for a sign permit in accordance with the provisions of this ordinance.

Architectural sign. A sign incorporated into an architectural element such as an archway, fountain or sculptured garden which is integrated with, but subordinate to, the overall architectural element.

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Area of sign. In the case of individual letters used as a sign, the area is ninety (90) percent of the area enclosed within the smallest regular geometric figure needed to completely encompass all letters, insignias or symbols of the sign, including horizontal spacings between letters, insignias or symbols, except as otherwise provided herein.

For signs other than individual letters, words, insignias or symbols, the area is the total area of the facing or the total area within the outer edge of any existing border of the sign.



Arterial (street). Those lengths of streets so classified on the City of Scottsdale's General Plan.

Automated teller machine directional sign. A traffic directional sign which is used to direct pedestrian or vehicular traffic on a parcel to the location of an automated teller machine.

Automated teller machine sign. Any sign located on or architecturally associated with the exterior face of an automated teller machine.

Awning sign. Signs which are placed on or integrated into fabric or other material canopies which are mounted on the exterior of a building.

Banner. A rectangular shape of fabric or other suitable material which is attached or suspended at two (2) ends or continuously across the long side. Attachment or suspension may be from buildings and/or poles.

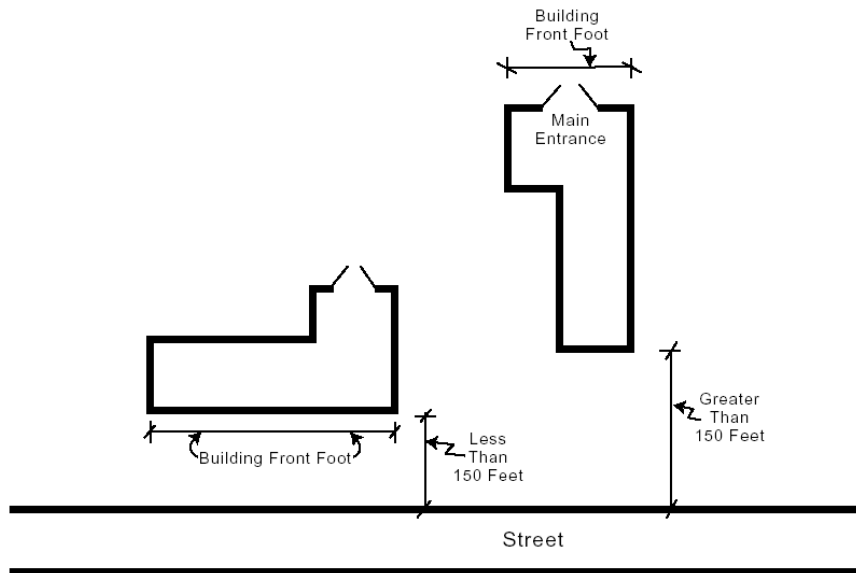
Banner, decorative. A banner which contains no text.

Banner, public information. A banner which displays graphics and limited text regarding a special event.

Building front foot. The maximum width of the projected building elevation

DRAFT TEXT AMENDMENT 7-TA-2002

measured on a straight line parallel to the street if the building is within one hundred and fifty (150) feet of the street and visible from the street or a straight line parallel to the face of the building which has the primary entrance. In the event that a building fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area.

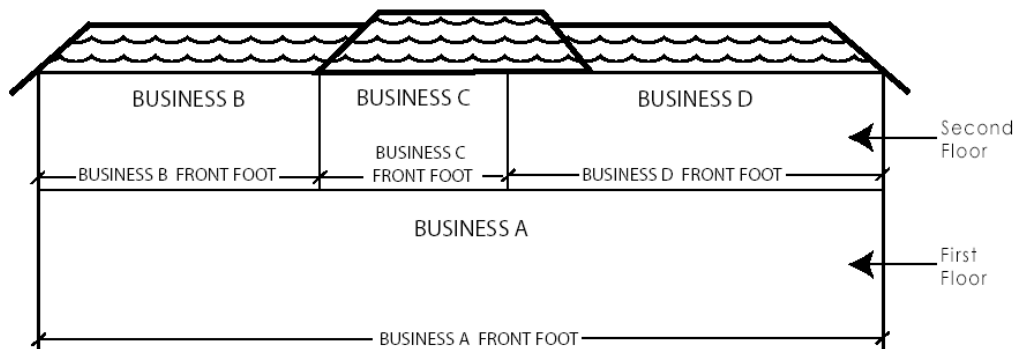


Building identification. The name of a building or of a tenant or occupants occupying at least thirty (30) percent of the building or sixty (60) percent of the first floor, which is placed on the building, or on a freestanding sign.

Building wall. The individual sides of a building.

Business entrance identification. A sign adjacent to, or on the entrance door of, a business containing the business name and such other appropriate information as store hours and telephone numbers.

Business front foot. The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.



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Business name. The name by which a business is commonly recognized and used by the applicant. The applicant shall provide stationery or other supporting documents illustrating the use of the business name or verification of the official business license or tax name. Slogans or product information shall not be considered as the business name.

Cabinet. A three-dimensional structure which includes a frame, borders and sign panel face and may include internal lighting upon which the sign letters and logos are placed or etched, and is architecturally integrated with the building.

Change panel. A sign designed to permit immediate change of copy with language other than the name of the business.

Commercial district. A group or cluster of retail shops, offices or industrial buildings which share common parking, landscaping, and/or frontage, have a property owners association and have a name which is generally understood by the public to refer to the group or cluster.

Common building entrance. In a multitenant building, an entrance leading to a common lobby, atrium, patio and/or elevator foyer.

Community sign district. A group of businesses in a specified area in the city which have been organized into a coordinated group for the purpose of common signage and signage control.

Comprehensive sign program. A sign program submitted under the guidelines of a community sign district intended to encourage flexible signage opportunities which is greater than that allowed in underlying zoning district.

Contractor or subcontractor signs. The temporary signs which identify the contractor or subcontractor engaged in the construction, reconstruction or repair of a building or buildings on a lot or parcel of property.

Development sign. A sign used to identify an approved future development.

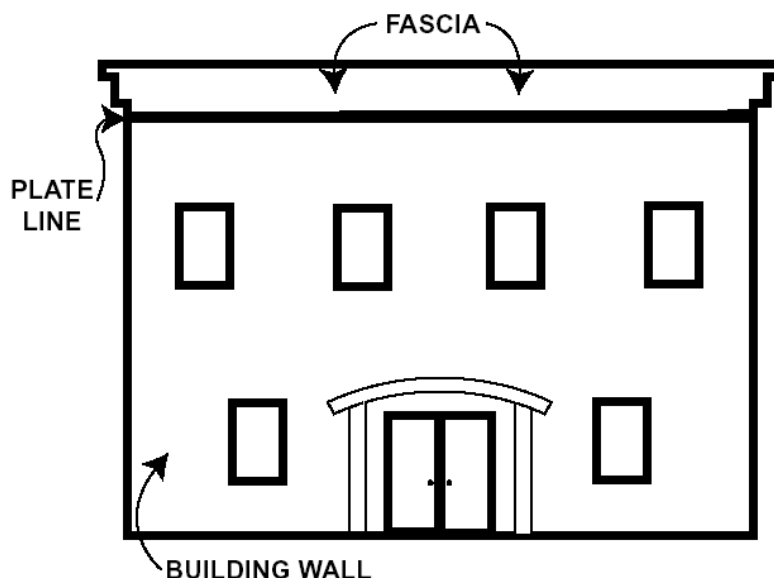
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Directory sign. A sign which provides a listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only.



Entryway sign. A sign which is placed on the perimeter of a recorded subdivision, townhouse project, commercial district, master planned community, hotel, motel or guest ranch at a major street or driveway entrance to identify the name of the interior project. Such signs may flank both sides of the entrance and may include ground or landscape wall sign types.

Fascia. A parapet-type wall used as part of the face of a flat roofed building and projecting not more than six (6) feet from the building face immediately adjacent thereto. Such a wall shall enclose at least three (3) sides of the projecting flat roof and return to a parapet wall or the building.



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Flag. A fabric sheet of square, rectangular or triangular shape which is mounted on a pole, cable or rope at one (1) end.

Flag, decorative. A flag which contains no text or graphics.

Freestanding sign. A sign that is not attached to any building.

FUEL CHANGE PANEL PRICE SIGN. A SIGN USED TO IDENTIFY THE CURRENT PRICE(S) OF FUEL AS REQUIRED BY STATE LAW.

General manager. The city's planning and zoning general manager or designee.

Grand opening. The introduction, promotion or announcement of a new business, store, shopping center or office, or the announcement, introduction or promotion of an established business changing ownership. A business qualifies for a grand opening sign when it has been closed to the public for a period of thirty (30) days (as indicated on a new Scottsdale Business License).

Grand opening sign. A temporary banner sign which calls attention to the opening of a new business.

Ground level. The finished grade of the adjacent street curb or where there is no street curb, six (6) inches above street grade. In areas within the hillside district, ground level shall be the existing natural grade.

Ground sign. A freestanding sign that is architecturally integrated with the building with individually mounted letters and logos only. This sign shall be built with continuous background surface built from the ground up.

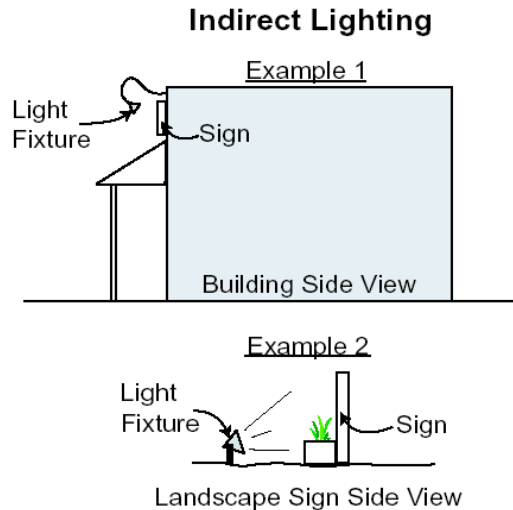
Height. The distance from ground level to **THE** top of the ~~area of sign~~
STRUCTURE.

Identification sign. A building wall, landscape wall, ground sign or temporary sign used to present the name of a major residential project, master planned community or master planned community information center.

Illegal sign. Any sign erected without first obtaining an approved sign permit, other than nonconforming signs.

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Indirect lighting. A source of external illumination located away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk or adjacent property.



Individual letters. A cut-out or etched letter or logo which is individually placed on a landscape, screen wall, building wall or ground sign.

Information center. A facility in a master planned community which provides information, displays and guides for visitors in order to direct, to promote and sell projects within the master planned community.

Internal lighting. A source of illumination entirely within the sign which makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of illumination is not visible.

Internal/indirect lighting. A source of illumination entirely within an individual letter, cabinet or structure which makes the sign visible at night by means of lighting the background upon which the individual letter is mounted. The letters are opaque, and thus are silhouetted against the background. The source of illumination is not visible.

Landscape wall sign. A freestanding sign architecturally integrated with the building, mounted on a screen or perimeter wall and having individual letters. The sign is mounted on, or to, a wall, pole or base which may or may not be an attachment or extension of a building wall.

Logo. A graphic symbol representing an activity, use or business. Permitted logos shall be registered trademarks or symbols commonly used by the applicant, and may include graphic designs in addition to lettering. Applicant shall provide stationery or

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other supporting documents illustrating use of logo.

Maintenance. The replacing or repairing of a part or portion of a sign necessitated by ordinary wear, tear or damage beyond the control of the owner or the reprinting of existing copy without changing the wording, composition or color of said copy.

Master planned community. A project of at least one hundred sixty (160) acres which is planned, developed or closely coordinated with a unified character and land use scheme, and having a master property owners association which includes all lands within the master planned community.

Master sign program. A specific set of design standards established for the purpose of unifying a variety of signs associated with a multi-tenant or multi-use building or complex of buildings. ~~The design standards shall include, but are not limited to, letter and logo sizes, letter style, colors, texture, lighting methods, sign type (individual letters, cabinet, etc.) and architectural features. The purpose of the program is to provide design compatibility for all signs and to integrate the signs with the architectural features of the building(s) being signed. Upon approval of the master sign program by the Development Review Board, all signage contained within the limits of the project, regardless of ownership, shall comply with the design standards established by the program.~~

Medical facilities. Major campuses or buildings which include public, private or research hospitals, nonprofit or research clinics, or emergency care centers.

Menu sign. A temporary sign used to inform the public of the list of dishes, foods or entrees available in a restaurant and may include the corresponding prices.

MID-SIZE MONUMENT SIGN. A FREE-STANDING CABINET OR PANEL SIGN ARCHITECTURALLY INTEGRATED WITH THE PROJECT OR BUILDING DESIGN MOUNTED ON, OR WITHIN A BASE WHICH IS DETACHED FROM ANY BUILDING WHICH HAS A GREATER AREA AND HEIGHT THAN A MONUMENT SIGN AND HAS LESS HEIGHT THAN A TOWER SIGN.

Modifiers. A word describing uses and activities other than the business name.

Monument sign. A freestanding cabinet or panel sign mounted on, or within a base (above grade), which is detached from any building.

Multiple tenant commercial building. A commercial development in which there exists two or more separate commercial activities, in which there are appurtenant shared facilities (such as parking or pedestrian mall), and which is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a multiple tenant commercial building may, but need not, include common ownership of the real property upon which the center is located, common-wall construction, and multiple occupant commercial use of a single structure.

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Nameplate. A small sign which identifies a resident's or home's name and address or the name of a farm, ranch or commercial stable. Such signs may be shingle, building wall, or archway-mounted signs.

Nonconforming sign. Any sign which is not allowed under this ordinance, but which, when first constructed, was legally allowed by the City of Scottsdale or the political subdivision then having the control and regulation over construction of signs.

Occupancy A purpose for which a building, or part thereof, is used or intended to be used.

Off-premise sign. A sign which is located on property other than where a business is located, the product is sold, or the service is offered.

ON-PREMISE DEVELOPMENT SIGN. A DEVELOPMENT SIGN LOCATED ON THE PROPERTY/PARCEL UNDER DEVELOPMENT.

Outdoor type business. A business all or most of whose business is conducted, or items displayed, in an open area subject to the regulations of the Scottsdale zoning ordinance.

Panel. A two-dimensional visual background behind the sign letters and logos which is visually separated from the mounting upon which the sign letters and logos is placed by the presence of a border, different colors, different materials, or other technique of visual framing around the letters or logo.

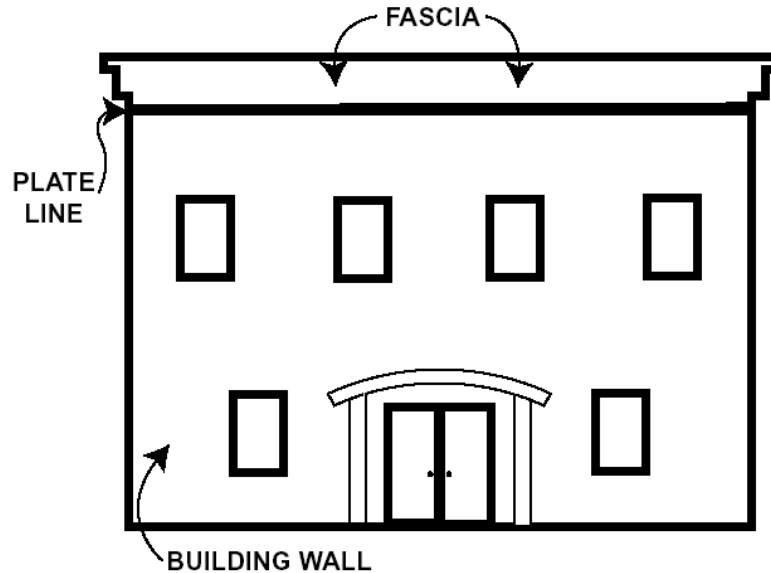
Pan-formed letter. An individual letter which is three-dimensional and is constructed by means of a three-sided metal channel. The open side of the channel may face a wall or be faced with a translucent panel which is placed away from the wall.

Parapet wall. That portion of a building exterior wall projecting above the plate line of the building.

Permanent sign. Any sign which is intended to be **LASTING** and is so constructed **FROM AN ENDURING MATERIAL SUCH AS MASONRY AND METAL WHICH** ~~as to be a lasting and enduring condition~~ remaining ~~unchanged in POSITION, character, AND condition (beyond normal wear) and position, and in a~~ **IS** permanent ~~LY manner~~ affixed to the ground, wall or building, provided the sign is listed as a permanent sign in the ordinance.

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Plate line. The point at which any part of the main roof structure first touches or bears upon an external wall.



Political signs. A sign which supports **PERTAINING TO A CANDIDATE FOR PUBLIC OFFICE, A GOVERNMENTAL ISSUE, OR PARTY, OR RELATING TO VIEWS ABOUT SOCIAL, ECONOMIC, OR GOVERNMENTAL RELATIONSHIPS.**

Projected building face. A calculation of the maximum lineal footage of the building front times the maximum height of the building.

Projected elevation area. The total area of the building face as projected to an imaginary plane parallel to the primary direction of the building face.

Public property. Unless otherwise expressly provided, public property means any and all real or personal property over which the city or other governmental entity has or may exercise control, whether or not the city owns the property in fee, and it includes, but is not limited to public buildings, public streets, alleys, sidewalks, rights-of-way and improved or unimproved land of any kind and all property appurtenant to it.

Required landscaping. The specific area (on site) to be landscaped at the base of the freestanding sign.

Residential entry sign. A sign that is placed at the entrance to a multifamily and duplex development, manufactured home park, or single-family development only in order to identify the name of the development.

Roof line. The highest point of the main roof structure or the highest point on a

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parapet but shall not include cupolas, pylons, projections or minor raised portions of the roof.

Sales, lease and rent signs. signs which indicate that a premises, building or vacant lot is currently for sale, lease or rent.

Scenic corridor. A specific, required landscape setback located along certain major streets, and identified in the city's General Plan.

SEMI-PERMANENT SIGN. A SIGN CONSTRUCTED OF MATERIAL MORE PERMANENT THAN CLOTH, CANVAS, CARDBOARD, OR OTHER LIKE MATERIALS, BUT WHICH IS NOT CONSTRUCTED OF PERMANENT MATERIALS SUCH AS MASONRY OR METAL. A SEMI-PERMANENT SIGN IS INTENDED TO BE DISPLAYED FOR A PERIOD OF TIME LONGER THAN THAT OF A TEMPORARY SIGN AND IS DISPLAYED FOR A SPECIFIED TIME. SUCH SIGNS WHICH BY THE NATURE OF THEIR CONSTRUCTION ARE LESS PRONE TO CREATE PROBLEMS OF LITTER AND DETERIORATION THAN TEMPORARY SIGNS. THIS LAST SENTENCE ISN'T REALLY PART OF THE DEFINITION – I WOULD MOVE THIS CONCEPT TO THE SECTION REGULATING TEMPORARY SIGNS.

Shingle sign. A sign suspended from a roof overhang of a covered porch or walkway which identifies the tenant of the adjoining space.

Sign. Any device for visual communication which is used or is intended to attract the attention of the public, when the display of this device is visible beyond the boundaries of the public or private property upon which the display is made.

The term "sign" shall not include any flag or badge or insignia of the United States, State of Arizona, Maricopa County, City of Scottsdale, or official historic plaques of any governmental jurisdiction or agency.

Sign budget. The total cumulative sign area for all types of signs allowed to a parcel or project.

Sign wall. Any surface (excluding windows) of a building within twenty-five (25) degrees vertical. Signs on a wall shall be limited to business identification and approved modifiers.

Special event. A promotional event such as, but is not limited to; bazaars, street fairs, shows, exhibitions, sporting events, runs, bicycling events, and block parties. This does not include sidewalk sales occurring on private property where merchandise normally sold indoors, and is transferred from indoor to outdoor for sale.

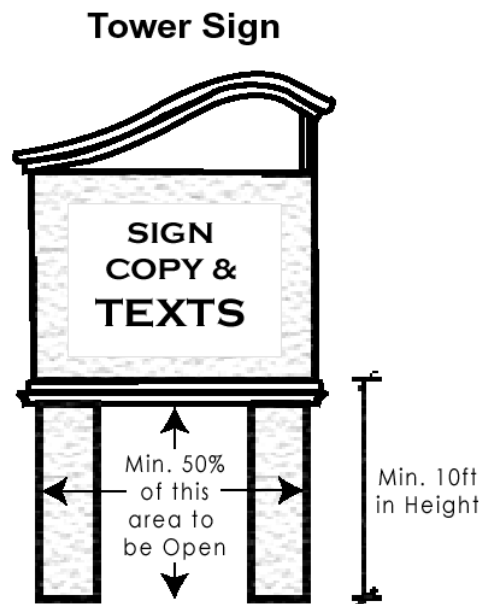
Sum total sign area. Aggregate area of all signs for any individual use (excluding traffic directional signs). In every event, computation of allowable sign area includes all

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existing signs on the premises, whether such signs be conforming or nonconforming unless specifically excepted by the terms of this ordinance.

Temporary sign. Any sign, banner, pennant, or valance of advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials, with or without frames. Any sign not permanently attached to the ground, wall or building, intended to be displayed for a short period of time only.

Tower sign. A freestanding cabinet or panel sign architecturally integrated with the building having a minimum height of ten (10) feet to the bottom of the sign. The sign base shall be constructed not to exceed fifty (50) percent of the open space beneath the cabinet or panel.



Traffic directional sign. Signs used at driveways to improve public safety and to enhance public access to the site from public streets. This sign provides information which will assist the operators of vehicles in the flow of traffic. Such signs may use names, logos, or symbols of buildings, businesses, activities, uses or places as a means of direction.

Type I district. That area classified in the downtown section of the City of Scottsdale's General Plan.

Window sign. Any poster, cut-out letters, painted text or graphics, or other text or visual presentation affixed to or placed behind a window pane which is placed to be read from the exterior of a building.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90; Ord. No. 2401, § 1, 10-1-91; Ord. No. 2905, § 1, 8-5-96)

Sec. 8.300. PROCEDURES.

Sec. 8.301. Development Review Board approval.

I. Development Review Board or designee approval shall be obtained for all signs as provided in article 1, section 1.900. In those cases where a sign permit is required, Development Review Board or designee approval shall be obtained before any sign permit can be issued.

II. THE DEVELOPMENT REVIEW BOARD SHALL REVIEW AND RENDER A DECISION FOR SIGN CODE EXCEPTION REQUESTS RELATING TO SIGNAGE DESIGN AND THE PLACEMENT OF SIGNS ON A NEW MULTI-TENANT BUILDING AS PROVIDED IN SECTIONS 8.403 AND 8.405. IN NO CASE SHALL THE TOTAL SIGN AREA INCREASE FOR THE PROPERTY.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2401, § 1, 10-1-91; Ord. No. 3225, § 1, 5-4-99)

Sec. 8.302. SIGN PROGRAMS

I. MASTER SIGN PROGRAM

- A. THE PURPOSE OF THE MASTER SIGN PROGRAM IS TO PROVIDE DESIGN COMPATIBILITY FOR ALL SIGNS AND TO INTEGRATE THE SIGNS WITH THE ARCHITECTURAL FEATURES OF THE MULTI-TENANT BUILDING OR COMPLEX OF BUILDINGS.**
- B. SUBMITTAL REQUIREMENTS: THE PROPERTY OWNER(S) OR DESIGNATED AGENT SHALL SUBMIT AN APPLICATION WITH A SPECIFIC SET OF DESIGN STANDARDS, INCLUDING BUT NOT LIMITED TO, LETTER AND LOGO SIZES, LETTER STYLE, COLORS, TEXTURE, LIGHTING METHODS, SIGN TYPE AND ARCHITECTURAL FEATURES.**
- C. UPON APPROVAL OF THE MASTER SIGN PROGRAM BY THE DEVELOPMENT REVIEW BOARD OR DESIGNEE, ALL SIGNAGE CONTAINED WITHIN THE LIMITS OF THE PROPERTY, REGARDLESS OF OWNERSHIP OR TENANCY, SHALL COMPLY WITH THE DESIGN STANDARDS ESTABLISHED BY THE PROGRAM.**

II. Community sign district.

The **COMMUNITY SIGN DISTRICT PROVIDES FOR A** comprehensive sign program **WHICH** is intended to encourage flexible signage opportunities which are

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greater than that of the underlying zoning district, but are appropriate to the character of the development, provide adequate identification and information, provide a good visual environment, promote traffic safety and are regulated to the extent necessary to be consistent with the purpose and intent of this sign ordinance as specified in section 8.101.

- ~~IA.~~ Property owners may form a community sign district to propose and maintain a comprehensive sign program for additional signage as provided in this section. The comprehensive sign program established under this section 8.302.II., may allow signage which in size and total sign budget exceeds the maximum otherwise allowed by no more than ~~ten (10)~~ **TWENTY (20)** percent. In no event may the comprehensive sign program propose signage of a type that is otherwise prohibited by this ordinance.
- ~~A1.~~ A community sign district may be formed by petition of at least seventy-five (75) percent or more of the affected property owners in the district.
- ~~B2.~~ The Development Review Board may approve a comprehensive sign program in commercial centers, industrial centers, resorts, and hospitals with gross leasable areas in excess of three hundred thousand (300,000) square feet or planned districts fifteen (15) acres or greater.
- ~~C3.~~ The comprehensive sign program shall include a complete set of standards, including but not limited to, letter size, style, colors, type(s) of sign, placement of signs, number of signs, and sign material.
- ~~D4.~~ A community sign district shall coordinate the preparation and submission of the comprehensive sign program and shall be responsible for the installation and maintenance of signage and landscaping approved in the comprehensive sign program.
- ~~HB.~~ The city may establish a comprehensive sign program for redevelopment areas and redevelopment sub-areas. The program shall consist of a complete set of standards, including but not limited to, letter size, style, colors, type(s) of sign, placement of signs, number of signs and sign material. In no event may the comprehensive sign program propose signage of a type that is otherwise prohibited by this ordinance.
- ~~A1.~~ The comprehensive sign program may include architectural signs in accordance with the following:

 - ~~1a.~~ Such signs shall be installed at major entrances to the redevelopment district, or the redevelopment sub-area.

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- ~~2b.~~ The text shall be limited to the overall identification of the redevelopment area or the redevelopment sub-area.
 - ~~3c.~~ The maximum sign area for such sign shall be sixty (60) square feet.
 - ~~4d.~~ The maximum height shall be twenty (20) feet.
 - ~~5e.~~ The maximum number of signs per architectural element shall be one (1) sign.
 - ~~6f.~~ The maximum letter height for each architectural sign shall be two (2) feet.
 - ~~B2.~~ The comprehensive sign program may include banners in accordance with the following:
 - ~~4a.~~ The banners shall identify the redevelopment area or the redevelopment sub-area.
 - ~~2b.~~ The banners shall be of new material and may be permanent, subject to Development Review Board approval of a maintenance program.
 - ~~C3.~~ The comprehensive sign **PROGRAM** may include freestanding directory signs designed as architectural elements identifying businesses and points of interest in accordance with the following:
 - ~~4a.~~ The maximum sign area shall be fifteen (15) square feet.
 - ~~2b.~~ The maximum height shall be seven (7) feet.
 - ~~D4.~~ The comprehensive sign program shall be approved by the city council and the Development Review Board. The city shall coordinate the preparation and submission of the comprehensive sign program. The application shall detail the responsibility for the installation and maintenance of signage and landscaping approved in the comprehensive sign program.
 - ~~HHC.~~ No sign identified in this section shall be placed upon real property without the consent of the real property owner, nor shall such sign be placed in any public right-of-way without first securing any required encroachment permit(s).
- (Ord. No. 2260, § 2, 7-18-89; Ord. No. 2401, § 1, 10-1-91; Ord. No. 2905, § 1, 8-5-96)

Sec. 8.400. GENERAL REQUIREMENTS.

Sec. 8.403. Business identification.

BUSINESS IDENTIFICATION Signs shall identify the individual business. In those cases where the principal service is not identified by the business, that principal service may be identified through the use of modifiers in addition to the business name. All business identification for the same business shall be consistent on all signs except as noted in section 8.525. Tenants in a multiple tenant building, without street frontage, may in addition to a building wall **SIGN** have their business identification placed on a landscape wall. ~~Other tenants located in the same complex and having street frontage, would be allowed to identify their business on the building wall adjacent to the space they occupy or on a landscape wall if all tenants within the complex choose to transfer their business identification to a landscape wall.~~ The business identification sign on the landscape wall shall be limited to one (1) sign per tenant and a maximum sign area of ten (10) square feet. **IN NO CASE, SHALL THE TOTAL SIGN AREA OF THE LANDSCAPE WALL SIGNS EXCEED** ~~The maximum sign area in any case shall be~~ one (1) square foot for each one thousand (1,000) square feet of gross floor area **OF THE BUILDING OR COMPLEX.**

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90; Ord. No. 2401, § 1, 10-1-91; Ord. No. 2514, § 1, 12-15-92)

Sec. 8.404. Building or complex identification.

~~A nonretail tenant occupying thirty (30) percent of a building or sixty (60) percent of the first floor of a building in a~~ A multiple tenant project may have ~~A name~~ **IDENTIFYING THE BUILDING OR COMPLEX** on the building ~~or~~ **AND** on a freestanding sign, ~~provided that each use is limited to one (1)~~ **IN ADDITION TO IDENTIFYING THE BUILDING OR COMPLEX, MID SIZE MONUMENT AND TOWER SIGNS MAY INCLUDE NO MORE THAN THREE (3) tenant names.**

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.408. Freestanding sign.

I. *Traffic hazard:* A freestanding sign shall be placed in a manner so not to interfere with traffic in any way, or to confuse traffic, or to present any traffic hazard.

II. *Street placement:* All freestanding signs shall be parallel or perpendicular to the street unless otherwise required by the city.

III. *Curb setback:* All freestanding signs **EXCEPT TEMPORARY**

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FREESTANDING SIGNS shall be set back a minimum of fifteen (15) feet from back of street curb or signage will comply with sight distance triangles when physical conditions prohibit compliance with the fifteen (15) feet setback.

- IV. All specified uses within this ordinance whose building is detached and part of a multitenant complex will be allowed the option of having a freestanding sign.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2401, § 1, 10-1-91)

Sec. 8.418. Special events.

Sign permits for special events shall be limited to ~~two (2) permits per quarter. The maximum number of days allowed per year shall be~~ forty-eight (48) **CUMULATIVE** days **PER CALENDAR YEAR PER PROPERTY.**

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.500. PERMANENT SIGNS ALLOWED.

Sec. 8.504. Unspecified uses in R-1, R-2, R-3, R-4, R-4R, R-5, C-O, P-1, P-2, P-3, H-R and O-S [zones.]

- I. *Individual Business Identification.*

- A. *Building wall signs.*

1. Such sign shall identify the business.
2. For any one (1) side of a building the maximum sign area for each one (1) lineal foot of building wall shall be one (1) square foot.
3. The maximum sign height on a building shall be three (3) stories.
4. No part of a building wall sign shall extend above a roof line.
5. Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.
6. No part of such sign shall project from a building wall a distance greater than twelve (12) inches.

- B. *Ground signs.*

1. Such sign shall identify the business.
2. The maximum number of such signs per street shall be one (1)

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sign.

3. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.
4. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.
5. The maximum height of such sign shall be five (5) feet.
6. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

C. *Traffic directional signs.*

1. The maximum number of such signs for each driveway shall be one (1) sign.
2. The maximum height of such sign shall be three (3) feet.
3. The maximum area of such sign shall be four (4) square feet.
4. The maximum area of a business name or logo on such sign shall be one (1) square foot.
5. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
6. Where a driveway is shared the maximum area of a business name or logo shall be two (2) square feet.

D. [*Hotel flags.*] One (1) flag is allowed for a hotel in R-4R.

E. [*Automated teller machine signs.*] Automated teller machine signs are allowed in C-O as specified in section 8.522, II.

F. [*Automated teller machine directional signs.*] Automated teller machine directional signs are allowed in C-O as specified in section 8.522, III.

G. [*Residential entryway signs.*] Residential subdivisions, condominiums, townhouses and mobile home parks are allowed residential entryway signs.

H. [*Entryway signs; commercial, campus.*] Commercial subdivisions and campus developments are allowed entryway signs.

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- I. [Sum total sign area.] Sum total sign area per business use, twenty-four (24) square feet.
(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.512. Hotels, motels, inns and guest ranches (with one hundred one or more guest rooms) in R-5, C-2, C-3 and D zones.

Hotels, motels, inns and guest ranches (with one hundred one (101) or more guest rooms) in the R-5, C-2, C-3 and D zones are allowed signs as follows:

- I. *Business Identification.*
- A. *Building wall signs.*
1. Such sign shall identify the business.
 2. For any one (1) side of a building the maximum sign area for each one (1) lineal foot of building wall shall be one (1) square foot.
 3. The maximum sign height on a building shall be three (3) stories.
 4. No part of a building wall sign shall extend above a roof line.
 5. Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.
 6. No part of such sign shall project from a building wall a distance greater than twelve (12) inches.
- II. *Freestanding Business Identification.* There shall be a maximum of one (1) freestanding business identification sign per street **FRONTAGE**.
- A. *Tower signs.*
1. Such sign shall identify the business.
 - ~~2. The maximum number of such signs per street front shall be one (1) sign.~~
 - ~~32.~~ 3. The maximum area permitted for such a sign shall not exceed forty-eight (48) square feet.
 - ~~43.~~ 4. The maximum height of such signs shall be fifteen (15) feet.
 - ~~54.~~ 5. Such signs shall be placed within a landscaped setting of not less

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than one hundred ninety-two (192) square feet.

65. One-half (1/2) of such sign may be a change panel.

B. *Monument signs.*

1. Such sign shall identify the business.

~~2. The maximum number of such signs per street front shall be one (1) sign.~~

32. The maximum area of such sign shall be twenty-four (24) square feet.

43. The maximum height of such sign shall be five (5) feet.

54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.

65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.

76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

C. MID-SIZE MONUMENT SIGNS

1. SUCH SIGN SHALL IDENTIFY THE BUSINESS.

2. THE MAXIMUM AREA OF SUCH SIGN SHALL BE SIXTY (60) SQUARE FEET.

3. THE MAXIMUM HEIGHT OF SUCH SIGN SHALL BE EIGHT (8) FEET.

4. SUCH SIGN SHALL BE SET BACK TEN (10) FEET FROM THE PROPERTY LINE AND PLACED WITHIN A LANDSCAPE SETTING CONTAINING NOT LESS THAN TWO HUNDRED FORTY (240) SQUARE FEET.

5. ONE-HALF (1/2) OF SUCH SIGN MAY BE A CHANGE PANEL.

III. *Entryway Signs.*

A. Such sign shall name the resort.

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- B. Such sign shall consist of individual letters on a freestanding wall.
 - C. Such sign shall be architecturally integrated with the building.
 - D. Such sign shall be located so as to identify the entrance to the resort.
 - E. The maximum height of such sign shall be three (3) feet.
 - F. The maximum area of such sign shall be twelve (12) square feet.
 - G. For each driveway the maximum number of such signs shall be two (2) signs.
 - H. Such sign shall be placed in a manner not to interfere with traffic, confuse traffic, or to present any traffic hazard.
 - I. Such sign shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.
 - J. The freestanding wall may be located up to forty-five (45) degrees from parallel to the street.
- IV. *Traffic Directional Signs.*
- A. The maximum number of such signs for each driveway shall be one (1) sign.
 - B. The maximum height of such sign shall be three (3) feet.
 - C. The maximum area of such sign shall be four (4) square feet.
 - D. The maximum area of a business name or logo on such sign shall be one (1) square foot.
 - E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
 - F. Where a driveway is shared the maximum area of a business name or logo shall be two (2) square feet.
- V. *Off-Premise Traffic Directional Signs (101 Rooms or More).*
- A. The maximum number of signs shall be two (2) signs.
 - B. The maximum sign area for each sign shall be six (6) square feet.

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C. The maximum vertical dimension of each sign shall be three (3) feet.

VI. *[Sum Total Area.]* The sum total area permitted for this use shall not exceed ninety-six (96) square feet.
(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.525. Auto dealerships.

Auto dealerships are allowed signs as follows:

I. *Individual Business Identification.*

A. *Building wall signs.*

1. Such sign shall identify the business.
2. For any one (1) side of a building the maximum sign area for each one (1) lineal foot of building wall shall be one (1) square foot.
3. When the wall on which the sign is placed is more than two hundred (200) feet from any public right-of-way the maximum sign area for each one (1) lineal foot of building wall shall be one and one-half (1 1/2) square feet.
4. The maximum sign height on a building shall be three (3) stories.
5. No part of a building wall sign shall extend above a roof line.
6. Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.
7. No part of such sign shall project from a building wall a distance greater than twelve (12) inches.
8. Automobile manufacturer modifier signs for ~~new~~ auto dealerships may be installed on the building wall, shall be subordinate to the vertical height of the business name, and calculated against the total allowed.

II. *Freestanding Business Identification Signs.* There shall be a maximum of one (1) freestanding business identification sign per street **FRONTAGE**.

A. *Ground signs.*

1. Such sign shall identify the business.

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~~2. The maximum number of such signs per street shall be one (1) sign.~~

32. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.

43. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.

54. The maximum height of such sign shall be five (5) feet.

65. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

B. *Monument signs.*

1. Such sign shall identify the business.

~~2. The maximum number of such signs per street front shall be one (1) sign.~~

32. The maximum area of such sign shall be twenty-four (24) square feet.

43. The maximum height of such sign shall be five (5) feet.

54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.

65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.

76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

III. *Traffic Directional Signs.*

A. The maximum number of such signs each for driveway shall be one (1) sign.

B. The maximum height of such sign shall be three (3) feet.

C. The maximum area of such sign shall be four (4) square feet.

D. The maximum area of a business name or logo on such sign shall be one

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(1) square foot.

- E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
- F. Where a driveway is shared the maximum area of a business name or logo shall be two (2) square feet.

IV. *Directory Signs.*

- A. The maximum number of signs for a site shall be determined by the Development Review Board.
- B. The maximum height of such sign shall be seven (7) feet.
- C. The maximum area of such sign shall be one (1) square foot for each business listed on the sign, and four (4) square feet for the name of the building or complex.

V. *Automobile manufacturer signs.*

- A. Auto dealers selling ~~three (3)~~ **ONE (1)** or more automobile manufacturer type at the same site shall be allowed to identify ~~such~~ **EACH** manufacturer type on a freestanding sign **OR SIGNS** subject to the following:

~~B. The only sign on the building wall shall be for business identification only.~~

~~CB.~~ The maximum height of such sign shall be 7 feet

~~DC.~~ The maximum number of such signs per street shall be **NOT EXCEED 4** signs **AND THE MAXIMUM AREA OF EACH SUCH SIGN SHALL NOT EXCEED TWENTY FOUR (24) SQUARE FEET.**

D. SUCH SIGNS SHALL BE SEPARATED FROM EACH OTHER BY A MINIMUM DISTANCE OF ONE HUNDRED (100) FEET

E. **IF ONLY ONE SIGN IS USED,** ~~the~~ the maximum sign area for such sign shall not exceed 42 square feet

F. Such sign **OR SIGNS** shall be placed within a landscaped setting ~~equal to four (4) feet for each one (1) square foot of sign area~~ **OF NOT LESS THAN TWO HUNDRED FORTY (240) SQUARE FEET PER SIGN.**

VI. *Sum Total Sign Area.* The sum total sign area allowed for each use in these

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districts is one and one-half (1 1/2) square feet for each one (1) lineal foot of building front foot.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90; Ord. No. 2514, § 1, 12-15-92)

Sec. 8.530. Special developments.

Sec. 8.531. [Multiple-tenant commercial buildings--Total floor area of less than thirty thousand square feet.]

Multiple-tenant commercial buildings in a commercial district with a total floor area of less than thirty thousand (30,000) square feet are allowed signs as follows:

I. *Building or complex Identification.* Such signs shall identify the multiple-tenant commercial building or **COMPLEX** and shall not contain the name of any tenant(s) or occupant(s) of the building. ~~unless such nonretail tenant or occupant occupies thirty (30) percent or more of the total building or sixty (60) percent or more of the first floor of the building.~~ Building identification signage shall be allowed as follows:

A. *Building wall signs:* **MULTIPLE- TENANT COMMERCIAL BUILDING OR COMPLEX IDENTIFICATION**

1. On a one-story or multiple-story building, the maximum area of such signs for each five (5) lineal feet of building wall shall be one (1) square foot.
2. The maximum height of such sign shall not exceed three (3) stories.
3. No part of such sign shall extend above a roof line.
4. Such sign shall be installed with the exposed face of the sign in a plane parallel with the exposed face of the building wall.
5. No part of such sign shall project from the wall of the building a distance greater than twelve (12) inches.

II. *Freestanding Building Identification.* There shall be a maximum of one (1) freestanding building identification sign per street **FRONTAGE**.

A. *Ground signs.*

1. Such sign shall identify the building.
2. ~~The maximum number of such signs per street shall be one (1) sign.~~

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- 32. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.
- 43. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.
- 54. The maximum height of such sign shall be five (5) feet.
- 65. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

B. *Monument signs.*

- 1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street front shall be one (1) sign.~~
- 3-2. The maximum area of such sign shall be twenty-four (24) square feet.
- 4-3. The maximum height of such sign shall be five (5) feet.
- 54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.
- 65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.
- 76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

III. *Traffic Directional Signs.*

- A. The maximum number of such signs for each driveway shall be one (1) sign.
- B. The maximum height of such sign shall be three (3) feet.
- C. The maximum area of such sign shall be four (4) square feet.
- D. The maximum area of a building name or logo on such sign shall be one (1) square foot.
- E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.

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- F. Where a driveway is shared the maximum area of a building name or logo shall be two (2) square feet.

IV. *Directory Signs.*

- A. The maximum number of signs for a site shall be determined by the Development Review Board.
- B. The maximum height of such sign shall be seven (7) feet.
- C. The maximum area of such sign shall be one (1) square foot for each business listed on the sign, and four (4) square feet for the name of the building or complex.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.532. [Same--Total floor area thirty thousand to sixty thousand square feet.]

Multiple-tenant commercial buildings in a commercial district with a total floor area of thirty thousand (30,000) square feet or greater and less than sixty thousand (60,000) square feet are allowed signs as follows:

I. *Building OR COMPLEX Identification.* **A MULTIPLE-TENANT COMMERCIAL BUILDING MAY HAVE signs identifyING the building or COMPLEX ON THE BUILDING AND ON A FREE-STANDING SIGN. SUCH SIGNS shall not contain the name of any tenant(s) or occupant(s) of the building EXCEPT FOR MID SIZE MONUMENT AND TOWER SIGNS WHICH MAY INCLUDE NO MORE THAN THREE (3) TENANT OR OCCUPANT NAMES.** ~~unless such nonretail tenant or occupant occupies thirty (30) percent or more of the total building or sixty (60) percent or more of the first floor of the building.~~ Building OR COMPLEX identification signage shall be allowed as follows:

- A. *Building wall signs:***MULTIPLE-TENANT COMMERCIAL BUILDING OR COMPLEX IDENTIFICATION.**
 - 1. On a one-story or multiple-story building, the maximum area of such signs for each five (5) lineal feet of building wall shall be one (1) square foot.
 - 2. The maximum height of such sign shall not exceed three (3) stories.
 - 3. No part of such sign shall extend above a roof line.
 - 4. Such sign shall be installed with the exposed face of the sign in a plane parallel with the exposed face of the building wall.

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5. No part of such sign shall project from the wall of the building a distance greater than twelve (12) inches.

II. *Freestanding Building Identification.* There shall be a maximum of one (1) freestanding building identification sign per street **FRONTAGE**.

A. *Ground signs.*

1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street shall be one (1) sign.~~
32. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.
43. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.
54. The maximum height of such sign shall be five (5) feet.
65. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

B. *Monument signs.*

1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street front shall be one (1) sign.~~
32. The maximum area of such sign shall be twenty-four (24) square feet.
43. The maximum height of such sign shall be five (5) feet.
54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.
65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.
76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

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C. *Landscape wall signs.*

1. Such sign shall identify the building.
2. The maximum area of such signs shall be twenty (20) square feet.
3. The maximum height of such signs shall be five (5) feet.
- ~~4. The maximum number of such signs shall be one (1) per street.~~
54. The percentage of wall surface area covered by individual letters shall not exceed fifty (50) percent.
65. Such sign shall be placed within a setting containing a landscaped area of not less than one and five-tenths (1.5) square feet per each one (1) square foot of sign area.

D. *Tower signs.*

1. Such sign shall identify the building.
2. The maximum area of such sign shall be fifty (50) square feet.
3. The maximum height of such sign shall be fifteen (15) feet.
- ~~4. The maximum number of such signs per street shall be one (1) sign.~~
54. Such sign shall be placed within a landscaped setting equal to four (4) feet for each one (1) square foot of sign area.

E. **MID-SIZE MONUMENT SIGNS**

1. **SUCH SIGN SHALL IDENTIFY THE BUILDING.**
2. **THE MAXIMUM AREA OF SUCH SIGN SHALL BE SIXTY (60) SQUARE FEET.**
3. **THE MAXIMUM HEIGHT OF SUCH SIGN SHALL BE EIGHT (8) FEET.**
4. **SUCH SIGN SHALL BE SET BACK TEN (10) FEET FROM THE PROPERTY LINE AND PLACED WITHIN A LANDSCAPE SETTING CONTAINING NOT LESS THAN TWO HUNDRED FORTY (240) SQUARE FEET.**

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III. *Traffic Directional Signs.*

- A. The maximum number of such signs for each driveway shall be one (1) sign.
- B. The maximum height of such sign shall be three (3) feet.
- C. The maximum area of such sign shall be four (4) square feet.
- D. The maximum area of a building name or logo on such sign shall be one (1) square foot.
- E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
- F. Where a driveway is shared the maximum area of a building name or logo shall be two (2) square feet.

IV. *Directory Signs.*

- A. The maximum number of signs for a site shall be determined by the Development Review Board.
- B. The maximum height of such sign shall be seven (7) feet.
- C. The maximum area of such sign shall be one (1) square foot for each business listed on the sign, and four (4) square feet for the name of the building or complex.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.533. [Same--Total floor area of sixty thousand to one hundred thousand square feet.]

Multiple-tenant commercial buildings in a commercial district with a total floor area of sixty thousand (60,000) square feet or greater and less than one hundred thousand (100,000) square feet are allowed signs as follows:

I. *Building OR COMPLEX Identification.* **A MULTIPLE-TENANT COMMERCIAL BUILDING MAY HAVE** signs identify**ING** the building or complex **ON THE BUILDING AND ON A FREE-STANDING SIGN. SUCH SIGNS** shall not contain the name of any tenant(s) or occupant(s) of the building **EXCEPT FOR MID SIZE MONUMENT AND TOWER SIGNS WHICH MAY INCLUDE NO MORE THAN THREE (3) TENANT OR OCCUPANT NAMES.** ~~unless such nonretail tenant or occupant occupies thirty (30) percent or more of the total building or sixty (60) percent or more of the first floor of the building.~~ Building identification signage shall be allowed as follows:

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A. *Building wall signs:***MULTIPLE-TENANT COMMERCIAL BUILDING OR COMPLEX IDENTIFICATION.**

1. On a one-story or multiple-story building, the maximum area of such signs for each five (5) lineal feet of building wall shall be one (1) square foot.
2. The maximum height of such sign shall not exceed three (3) stories.
3. No part of such sign shall extend above a roof line.
4. Such sign shall be installed with the exposed face of the sign in a plane parallel with the exposed face of the building wall.
5. No part of such sign shall project from the wall of the building a distance greater than twelve (12) inches.

II. *Freestanding Building Identification.* There shall be a maximum of one (1) freestanding building identification sign per street **FRONTAGE**.

A. *Ground signs.*

1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street shall be one (1) sign.~~
32. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.
43. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.
54. The maximum height of such sign shall be five (5) feet.
65. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

B. *Monument signs.*

1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street front shall be one (1) sign.~~

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- 32. The maximum area of such sign shall be twenty-four (24) square feet.
- 43. The maximum height of such sign shall be five (5) feet.
- 54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.
- 65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.
- 76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

C. MID-SIZE MONUMENT SIGNS

- 1. **SUCH SIGN SHALL IDENTIFY THE BUILDING.**
- 2. **THE MAXIMUM AREA OF SUCH SIGN SHALL BE SIXTY (60) SQUARE FEET.**
- 3. **THE MAXIMUM HEIGHT OF SUCH SIGN SHALL BE TEN (10) FEET.**
- 4. **SUCH SIGN SHALL BE SETBACK TEN (10) FEET FROM THE PROPERTY LINE AND PLACED WITHIN A LANDSCAPE SETTING CONTAINING NOT LESS THAN TWO HUNDRED FORTY (240) SQUARE FEET.**

~~ED.~~ *Landscape wall signs.*

- 1. Such sign shall identify the building.
- 2. The maximum area of such signs shall be twenty (20) square feet.
- 3. The maximum height of such signs shall be five (5) feet.
- 4. ~~The maximum number of such signs shall be one (1) per street.~~
- 54. The percentage of wall surface area covered by individual letters shall not exceed fifty (50) percent.
- 65. Such sign shall be placed within a setting containing a landscape of not less than one and five-tenths (1.5) square feet per each one (1) square foot of sign area.

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DE. *Tower signs.*

1. Such sign shall identify the building.
2. The maximum area of such sign shall be seventy-five (75) square feet.
3. The maximum height of such sign shall be twenty (20) feet.
4. ~~The maximum number of such signs per street shall be one (1) sign.~~
54. Such sign shall be placed within a landscaped setting equal to four (4) feet for each one (1) square foot of sign area.

III. *Traffic Directional Signs.*

- A. The maximum number of such signs for each driveway shall be one (1) sign.
- B. The maximum height of such sign shall be three (3) feet.
- C. The maximum area of such sign shall be four (4) square feet.
- D. The maximum area of a building name or logo on such sign shall be one (1) square foot.
- E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
- F. Where a driveway is shared the maximum area of a building name or logo shall be two (2) square feet.

IV. *Directory Signs.*

- A. The maximum number of signs for a site shall be determined by the Development Review Board.
- B. The maximum height of such sign shall be seven (7) feet.
- C. The maximum area of such sign shall be one (1) square foot for each business listed on the sign, and four (4) square feet for the name of the building or complex.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

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Sec. 8.534. [Same--Total floor are of one hundred thousand square feet or greater.]

Multiple-tenant commercial buildings in a commercial district with a total floor area of one-hundred thousand (100,000) square feet or greater are allowed signs as follows:

I. *Building OR COMPLEX Identification. A MULTIPLE-TENANT COMMERCIAL BUILDING MAY HAVE* signs identifying the building or complex **ON THE BUILDING AND ON A FREE-STANDING SIGN. SUCH SIGNS** shall not contain the name of any tenant(s) or occupant(s) of the building **EXCEPT FOR MID SIZE MONUMENT AND TOWER SIGNS WHICH MAY INCLUDE NO MORE THAN THREE (3) TENANT OR OCCUPANT NAMES.** ~~unless such nonretail tenant or occupant occupies thirty (30) percent or more of the total building or sixty (60) percent or more of the first floor of the building.~~ Building identification signage shall be allowed as follows:

A. *Building wall signs: MULTIPLE-TENANT COMMERCIAL BUILDING OR COMPLEX IDENTIFICATION.*

1. On a one-story or multiple-story building, the maximum area of such signs for each five (5) lineal feet of building wall shall be one (1) square foot.
2. The maximum height of such sign shall not exceed three (3) stories.
3. No part of such sign shall extend above a roof line.
4. Such sign shall be installed with the exposed face of the sign in a plane parallel with the exposed face of the building wall.
5. No part of such sign shall project from the wall of the building a distance greater than twelve (12) inches.

II. *Freestanding Building Identification.* There shall be a maximum of one (1) freestanding building identification sign per street **FRONTAGE.**

A. *Ground signs.*

1. Such sign shall identify the building.
2. ~~The maximum number of such signs per street shall be one (1) sign.~~
32. Such signs shall be placed within a landscaped setting containing not less than one hundred twenty (120) square feet.

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- 43. The maximum individual letter area for such signs shall not exceed twelve (12) square feet.
- 54. The maximum height of such sign shall be five (5) feet.
- 65. Individual letters shall not cover a percentage of wall surface area greater than fifty (50) percent.

B. *Monument signs.*

- 1. Such sign shall identify the building.
- ~~2. The maximum number of such signs per street front shall be one (1) sign.~~
- 32. The maximum area of such sign shall be twenty-four (24) square feet.
- 43. The maximum height of such sign shall be five (5) feet.
- 54. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.
- 65. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.
- 76. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

C. **MID-SIZE MONUMENT SIGNS**

- 1. **SUCH SIGN SHALL IDENTIFY THE BUILDING.**
- 2. **THE MAXIMUM AREA OF SUCH SIGN SHALL BE SEVENTY- FIVE (75) SQUARE FEET.**
- 3. **THE MAXIMUM HEIGHT OF SUCH SIGN SHALL BE TWELVE (12) FEET.**
- 4. **SUCH SIGN SHALL BE SETBACK TEN (10) FEET FROM THE PROPERTY LINE AND PLACED WITHIN A LANDSCAPE SETTING CONTAINING NOT LESS THAN TWO HUNDRED FORTY (240) SQUARE FEET.**

D. *Landscape wall signs.*

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1. Such sign shall identify the building.
2. The maximum area of such signs shall be twenty (20) square feet.
3. The maximum height of such signs shall be five (5) feet.
- ~~4. The maximum number of such signs shall be one (1) per street.~~
- ~~5.4~~ The percentage of wall surface area covered by individual letters shall not exceed fifty (50) percent.
- ~~65.~~ Such sign shall be placed within a setting containing a landscaped area of not less than one and five-tenths (1.5) square feet per each one (1) square foot of sign area.

~~DE.~~ *Tower signs.*

1. Such sign shall identify the building.
2. The maximum area of such sign shall be one hundred twenty (120) square feet.
3. The maximum height of such sign shall be twenty-five (25) feet.
- ~~4. The maximum number of such signs per street shall be one (1) sign.~~
- ~~54.~~ Such sign shall be placed within a landscaped setting equal to four (4) feet for each one (1) square foot of sign area.

III. *Traffic Directional Signs.*

- A. The maximum number of such signs for each driveway shall be one (1) sign.
- B. The maximum height of such sign shall be three (3) feet.
- C. The maximum area of such sign shall be four (4) square feet.
- D. The maximum area of a building name or logo on such sign shall be one (1) square foot.
- E. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.

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- F. Where a driveway is shared the maximum area of a building name or logo shall be two (2) square feet.
 - IV. *Directory Signs.*
 - A. The maximum number of signs for a site shall be determined by the Development Review Board.
 - B. The maximum height of such sign shall be seven (7) feet.
 - C. The maximum area of such sign shall be one (1) square foot for each business listed on the sign, and four (4) square feet for the name of the building or complex.
- (Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.540. Special events and theme amusement parks.

Special events and amusement parks are allowed signs as follows:

- I. *General.*
 - A. Events/activities which will occur on a designated date or during a limited period of time shall be allowed signage to promote the event/activity. The signage will support, promote and/or advertise the event/activity and may contain the names of a specific agency or business that is sponsoring the event/activity. All signs associated with the event/activity are temporary and must be removed by an the date specified by the general manager.
 - B. The organization sponsoring the event/activity shall prepare and submit an application, consisting of a complete list and description of all signs, including directional signs, banners, pennants, flags, balloons, lighting, hot/cold air balloons and other features associated with the event/activity, and proposed times for erecting and removing the signs. The application will be reviewed and approved by the general manager.
 - 1. Names and logos of sponsoring agency(ies) or business(es) shall be limited to twenty (20) percent of the total area of lettering identifying the activity or event.
 - 2. All banners, pennants and flags shall be limited to twenty-four (24) square feet and shall be suspended no higher than thirty-six (36) feet above grade, except that all banners, pennants and flags suspended over roadways or driveways shall be no higher than eighteen (18) feet above grade and maintain a minimum clearance of fourteen (14) feet. Banners are allowed in the downtown area only.

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3. All signs, banners, pennants and flags spanning walkways must maintain a minimum clearance of seven (7) feet six (6) inches.
4. Searchlights are prohibited except in those cases where allowed in section 7-602 of the zoning ordinance.
5. Temporary off premise directional signs shall be limited in sign area to six (6) square feet for each sign. The total number and location of such signs shall be approved by the general manager.

II. *Theme Amusement Park Signs.*

- A. Major theme amusement parks are theme amusement parks which contain an area of one hundred forty (140) acres or more and are developed according to a master development plan which is approved by the city.
- B. Minor theme amusement parks shall be any theme amusement park less than one hundred forty (140) acres.

1. *Monument signs.*

- a. Such sign shall identify the business.
- b. The maximum number of such signs per street front shall be one (1) sign.
- c. The maximum area of such sign shall be twenty-four (24) square feet.
- d. The maximum height of such sign shall be five (5) feet.
- e. The maximum vertical dimension of the cabinet or panel shall be four (4) feet.
- f. The maximum horizontal dimension of the cabinet or panel shall be ten (10) feet.
- g. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet.

2. *Change panel identification signs.*

- a. Change panel signs shall be available only for major theme amusement parks.

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- b. There may be a change panel identification sign at each major street fronting the theme amusement park as determined by the Development Review Board. Such signs, if any, shall be incorporated as part of your freestanding sign and included in the master sign program.
 - c. The maximum height shall be eighteen (18) feet.
 - d. The maximum sign area shall be seventy-five (75) square feet.
- 3. *Traffic directional signs.*
 - a. The maximum number of such signs for each driveway shall be one (1) sign.
 - b. The maximum height of such sign shall be three (3) feet.
 - c. The maximum area of such sign shall be four (4) square feet.
 - d. The maximum area of a business name or logo on such sign shall be one (1) square foot.
 - e. Where a driveway is shared the maximum area of such sign shall be eight (8) square feet.
 - f. Where a driveway is shared the maximum area of a business name or logo shall be two (2) square feet.
- III. *Special event street banners.* In addition to the signs permitted in subsection I.B., above, the organization sponsoring the event/activity may prepare and submit an application, at least thirty (30) days prior to an event, to the development services office. The application shall be on a form provided by the city, consisting of a complete list and description of the proposed location of all banners and proposed times for displaying the banners. The applicant shall provide that office all the necessary information to process the application. Incomplete submittal will not be accepted. All banners shall be in good repair, as determined by staff, and shall conform to the specifications set forth herein. ~~The City of Scottsdale reserves the right to deny any request for banner advertising under this section.~~
- A. *General provisions.*
 - 1. The application will be reviewed ~~and approved~~ by the

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~~planning and community development general~~ CITY manager or his designee.

~~2. In no event shall more than two (2) events be advertised at any one (1) time by the street banners authorized by this section.~~

3 2. The banners shall identify an event which:

- A. Is sponsored by a nonprofit organization or identifies an event ~~which the city council finds is of~~ general community interest;
- B. Is open to the general public;
- C. Is designed to attract community-wide participation; and
- D. Has obtained all necessary governmental permits.

4 3. **IF A SPECIAL EVENT STREET BANNER APPLICATION IS DENIED, IT MAY BE APPEALED PURSUANT TO THE APPEAL PROCESS FOR SPECIAL EVENT APPLICATIONS ESTABLISHED IN SECTION 7.928.**

~~All banners shall require development services or special event committee approval consistent with the downtown district guidelines prior to permit issuance. Appeals from development services shall be forwarded to the City Council pursuant to the following procedure:~~

~~A. The decisions of development services shall be final unless within twenty (20) days from the date of the decision of development services the applicant shall appeal there from in writing to the City Council. Such appeal shall be in writing in care of the City Clerk and shall indicate where, in the opinion of the applicant, development services was in error. The City Clerk shall schedule the appeal for a City Council agenda, and the City Council at its meeting, may uphold, modify, or over rule the decision of development services. The decision of the City Council shall be final.~~

~~B. The City Council shall have the right and prerogative to initiative its own review of any~~

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~~decision of development services and shall uphold, modify, or over rule said decision. Notice of such council initiated review of any decision of development services shall be given to the applicant by the City Clerk within twenty (20) days after action upon the application in question or the decision of development services shall be deemed to be final and binding upon the City of Scottsdale.~~

- ~~5~~ 4. The sign copy on the banners shall be subject to those portions of the advertising restrictions of section 16-353(a) of the Scottsdale City Code which do not conflict with this section.
- ~~6~~ 5. The fee for either the vertical or the horizontal banner permit shall be **ESTABLISHED BY THE CITY** ~~forty dollars (\$40.00) for each permit.~~

B. *Horizontal street banners.*

1. In those instances where horizontal banners are installed with vertical banners, they shall announce the same event, and scheduling of those banners shall be done on a first-come-first-serve basis.
2. The banner shall not be displayed more than ten (10) consecutive days.
3. The banner shall be constructed of eighteen (18) ounce vinyl. The banner shall be reinforced by folding the edges over and sewing.
4. The length of the banner shall not exceed thirty (30) feet. The width of the banner shall not exceed thirty-two (32) inches. The banner shall have eyelets every two (2) feet on top and bottom (horizontal edges), and air vents spaces at four (4) foot intervals.
5. No more than one (1) banner shall be provided by the applicant for each event. **IF THERE IS NO OTHER REQUEST FOR THE REMAINING HORIZONTAL STREET BANNER LOCATION, THE EVENT MAY USE BOTH LOCATIONS.** The banner(S) shall be installed by the city at ~~one (1)~~ of the city approved banner location(s). The banner(S) shall be delivered five (5) working days prior to the scheduled installation date, and

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picked up on later than three (3) days following the ten (10) consecutive days of banner display at: Scottsdale Corporation Yard/Transportation Maintenance, 9191 East San Salvador, Scottsdale, AZ, 85151.

C. *Vertical street banners.*

1. ~~In those instances where vertical banners are installed with a horizontal banner, they shall announce the same event, and scheduling shall be done on a first come first serve basis.~~
- 2 1. The sign copy on the banners shall be limited to the event title and corresponding information and logos. Logos shall be limited to fifty (50) percent of the banner sign area.
- 3 2. Banner design shall be limited to a vertical height of eight (8) feet, and a horizontal width of three (3) feet. They shall be constructed of a fabric having sufficient density to allow for printing on both sides. Wind cuts are required to reduce the tendency of a banner to billow or sail.
- 4 3. The applicant shall cause the banners to be installed, as set forth in section 8.540.III.C.6, on the light poles and supported by an upper and lower metal bracket assembly pursuant to installation guidelines provided by development services. The minimum distance to the bottom of the banner from ground level shall be fourteen (14) feet. Vertical banners may only be installed within the downtown couplet, the area bounded by Earll Road to the south, Goldwater Boulevard to the west, Highland Road to the north, and Civic Center Boulevard to the east and along Frank Lloyd Wright Boulevard from Scottsdale Road on the west to Pima Road on the east.
- 5 4. The applicant shall cause the vertical banners to be removed, as set forth in section 8.540.III.C.6, within two (2) working days after the event, but in no case shall banners remain on the light poles for more than thirty (30) days. ~~A deposit of two hundred fifty dollars (\$250.00) is~~ **MAY BE** required to insure that the banners are removed in a safe and timely manner.
- 6 5. The installation and removal of the banners shall be done by a registered contractor as approved by the state registrar of contractors office. The contractor must provide a

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certificate of insurance of not less than one million dollars (\$1,000,00.00) naming the City of Scottsdale as an additional insured. Installation shall happen between the hours of 12:00 midnight and 4:00 a.m. to minimize traffic disruption.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90; Ord. No. 2401, § 1, 10-1-91; Ord. No. 2701, § 1, 2-7-95; Ord. No. 3101, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99)

Sec. 8.600. TEMPORARY AND SEMI-PERMANENT SIGNS ALLOWED.

A. TEMPORARY SIGNS:

1. TEMPORARY SIGNS, WHICH BY THE NATURE OF THEIR CONSTRUCTION, PLACEMENT AND MATERIAL ARE IMPERMANENT AND PRONE TO CREATE PROBLEMS OF LITTER AND BLIGHT, MUST BE REMOVED WITHIN ONE HUNDRED EIGHTY (180) DAYS OF PLACEMENT.
2. TEMPORARY SIGNS SHALL BE MARKED BY A STICKER FURNISHED BY THE CITY AND SHALL INCLUDE THE DATE IT WAS ERECTED, AND THE PERSON RESPONSIBLE FOR PLACEMENT AND REMOVAL.
3. ANY TEMPORARY SIGN THAT DOES NOT INCLUDE THE REQUIRED INFORMATION OR REMAINS BEYOND THE ALLOWED ONE HUNDRED EIGHTY (180) DAYS SHALL BE SUBJECT TO REMOVAL BY THE CITY.
4. TEMPORARY SIGNS LOCATED IN THE RIGHT-OF-WAY SHALL REQUIRE AN ENCROACHMENT PERMIT IN CONFORMANCE WITH SECTION 8.312 ABOVE and SECTION 47-101 OF THE SCOTTSDALE REVISED CODE.

- B. SEMI-PERMANENT SIGNS:** SEMI-PERMANENT SIGNS, WHICH BY THE NATURE OF THEIR CONSTRUCTION ARE LESS PRONE TO CREATE PROBLEMS OF LITTER AND DETERIORATION THAN TEMPORARY SIGNS BUT MORE THAN PERMANENT SIGNS, SHALL BE ALLOWED TO REMAIN IN PLACE AS DESCRIBED IN SECTIONS 8.601, 8.602, 8.603, 8.604, 8.605, 8.606, 8.609, 8.610, 8.611, 8.612, 8.613, AND 8.615.

Sec. 8.601. ON-PREMISE Development signs.

- ±.A. A SEMI-PERMANENT ON-PREMISE DEVELOPMENT SIGN IS ALLOWED ONLY FOR THE PURPOSE OF IDENTIFYING A FUTURE DEVELOPMENT THAT HAS BEEN APPROVED BY THE DEVELOPMENT REVIEW BOARD OR A DEVELOPMENT UNDER CONSTRUCTION, AND ANY SUCH SIGN MUST BE REMOVED IMMEDIATELY UPON COMPLETION OF CONSTRUCTION OR ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR THE LAST DWELLING OR TENANT SPACE OF THE ANNOUNCED DEVELOPMENT. The maximum number of signs allowed for each street the property abuts shall be one (1) sign.

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~~II. The maximum area of such sign shall be forty-eight (48) square feet.~~

B. AN ON-PREMISE DEVELOPMENT SIGN MUST CONFORM TO THE FOLLOWING REQUIREMENTS:

1. SUCH SIGN SHALL NOT EXCEED SIXTEEN (16) SQUARE FEET.

2. IF PLACED BEHIND A DEDICATED SCENIC CORRIDOR EASEMENT, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.

~~III. 3. The maximum height of such sign shall be ten (10) feet.~~

~~IV. 4. Such sign may NOT be illuminated. by indirect lighting only.~~

5. SUCH SIGN MAY NOT BE A PERMANENT SIGN.

~~V.~~

6. Such sign shall be removed immediately upon completion of construction of the announced development.

~~VI. Such sign shall be for the sole purpose of identifying a future development which has been approved by the Development Review Board or a development under construction.~~

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.602. ON-PREMISE Contractor or subcontractor signs.

~~I A.~~ **A.** The maximum number of such signs for each contractor or subcontractor shall be one (1) sign.

~~II B.~~ **B.** The maximum sign area allowed each contractor or subcontractor shall be four (4) square feet.

~~III C.~~ **C.** The maximum height of such sign shall be ten (10) feet.

~~IV D.~~ **D.** All contractors and subcontractors engaged in construction or repair of buildings on an individual parcel of land may be listed on one sign not to exceed an area of ~~twenty-four (24)~~ **SIXTEEN (16)** square feet.

~~V E.~~ **E.** On completion of the construction or repair of the building such sign shall be removed immediately.

~~VI F.~~ **F.** Such sign shall be for the sole purpose of designating the contractor(s) and subcontractor(s) engaged in the construction or repair of a building or buildings on a parcel of land.

(Ord. No. 2260, § 2, 7-18-89)

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Sec. 8.603. ON-PREMISE Sale, lease, and rent signs.

- ~~I.~~**A.** Such sign shall be placed on property being rented, leased, or sold.
- ~~II.~~**B.** The maximum sign area for a parcel containing an area of two (2) acres or less shall be four (4) square feet.
- ~~III.~~**C.** The maximum sign area for a parcel containing more than ~~two (2)~~ **THREE (3)** but less than ten (10) acres in area shall be nine (9) square feet.
- ~~IV.~~**D.** The maximum sign area for a parcel containing ten (10) or more acres shall be ~~fifteen (15)~~ **SIXTEEN (16)** square feet.
- ~~V.~~**E.** The maximum height of such sign shall be ten (10). Ten feet.
- ~~VI.~~ Such sign shall be illuminated only by indirect lighting.
- F. PORTABLE SIGNS SHALL NOT BE PERMITTED.**
- G. SUCH SIGN MUST BE REMOVED WHEN THE PURPOSE FOR WHICH THE SIGN WAS ERECTED HAS BEEN COMPLETED.**

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.604. OFF-PREMISE Subdivision, condominium and multifamily directional signs.

I. [Zones Other Than P.C.D.] SEMI-PERMANENT OFF-PREMISE SUBDIVISION, CONDOMINIUM AND MULTIFAMILY DIRECTIONAL SIGNS ARE ALLOWED IN ZONING DISTRICTS OTHER THAN P-C as follows:

- A.** The maximum number of such signs ~~shall be~~ for each subdivision or condominium **SHALL BE** two (2) signs.
- B.** The maximum number of signs allowed per mile or where there is a change of direction shall be one (1) sign.
- C.** ~~The maximum area of such sign shall be forty-eight (48) square feet.~~ **SUCH SIGN SHALL NOT EXCEED SIXTEEN (16) SQUARE FEET.**
- D. IF PLACED BEHIND A SCENIC CORRIDOR SETBACK, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.**
- ~~D~~ **E.** The maximum height of such sign shall be ten (10) feet.
- ~~E.~~ ~~Illumination shall be indirect only.~~

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- F. ~~Such signs for subdivision and condominium projects shall be removed immediately after the use they identify is fulfilled.~~ **SIGN MUST BE REMOVED WHEN THE PURPOSE FOR WHICH THE SIGN WAS ERECTED HAS BEEN COMPLETED.**
- G. All signage ~~for multifamily~~ is allowed for one hundred eighty (180) days from issuance of the sign permit only. Such sign may be granted a one-time extension not to exceed one hundred eighty (180) days.
- H. ~~The text contained upon such sign shall be limited to:~~
- ~~_____ 1. _____ The recorded name of the subdivision or condominium.~~
 - ~~_____ 2. _____ The direction to the subdivision or condominium.~~
 - ~~_____ 3. _____ The distance to the subdivision or condominium.~~
- ‡ H. No sign shall be located within one hundred (100) feet of any residence. AND SHALL NOT BE LOCATED IN THE RIGHT-OF-WAY.**
- I. SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.**
- II. *Uses in P.C.D. Zones.* SEMI-PERMANENT OFF-PREMISE SUBDIVISION, CONDOMINIUM AND MULTIFAMILY DIRECTIONAL SIGNS ARE ALLOWED IN P-C ZONING DISTRICTS PURSUANT TO AN APPROVED master sign plan, submitted at the time of application for the sign permit(s), which complies with the following criteria:**
- A. The maximum area of an individual sign shall not exceed five (5) square feet.
 - B. The maximum height of an individual sign shall be three (3) feet.

When combined with an open house directional [sign], the maximum height shall be four (4) feet.
 - C. Where there is more than one (1) sign, such signs shall be incorporated into a monument sign.
 - D. The maximum height of a monument sign shall be ten (10) feet.
 - E. The maximum number of such signs shall be for each subdivision or condominium **PROJECT SHALL BE** ten (10) signs.
 - F. ~~Such sign shall contain only the name of the subdivision or condominium~~

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~~and the directional arrow.~~

~~G F.~~ All such signs shall refer to a development on land zoned P.C.D.

G. SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.

~~H. Illumination shall be indirect only.~~ **SUCH SIGN SHALL BE
REMOVED UPON COMPLETION OF THE PROJECT.**

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90; Ord. No. 2401, § 1, 10-1-91; Ord. No. 3250, § 1, 9-7-99)

Sec. 8.605. OFF-PREMISE Open house directional signs.

~~I.~~**A.** Open house directional signs shall be used to direct traffic to a residence for sale, and may be incorporated as a part of the subdivision directional allowed in section 8.604.

~~II.~~**B.** Such sign shall be used only when a sales person **OR HOMEOWNER OR HOMEOWNER'S AGENT** ~~is on duty at the residence for sale~~ **IS PRESENT DURING THE TIME OF THE OPEN HOUSE.**

~~III.~~**C.** The maximum number of such signs for each residence for sale shall be ~~three (3)~~ **FOUR (4)** signs.

~~IV.~~**D.** The maximum area of each such sign shall be four (4) square feet.

~~V.~~**E.** The maximum height of such sign shall be three (3) feet.

~~VI.~~**F.** Such sign shall not be illuminated.

~~VII.~~**G.** Such sign shall not be placed in any right-of-way.

~~VIII.~~**H.** Such sign shall not be placed so as to create a traffic hazard.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.606. No trespassing signs.

A "NO TRESPASSING" SIGN MAY BE PLACED ON PRIVATE PROPERTY, SUBJECT TO THE FOLLOWING CONDITIONS:

~~I.~~**1.** Such sign may be freestanding.

~~II.~~**2.** The maximum area of such sign shall be four (4) square feet.

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- ~~III~~.3. Such signs on a parcel of land shall be separated by a distance of one hundred (100) feet.
- ~~IV~~4. Such sign shall not be placed in any public right-of-way.
- ~~V~~.5. Such sign shall not be placed so as to create a traffic hazard.
- ~~VI~~.6. No permit shall be required for such sign.

7. SIGN MUST BE REMOVED IF DAMAGED, DESTROYED OR NO LONGER LEGIBLE.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.607. Political signs.

- ~~I.~~ ~~Political signs are temporary signs supporting the candidacy for office or urging action on any other matter on the ballot of primary, general, and special elections.~~
- ~~II~~ A. Such **POLITICAL** signs shall **BE TEMPORARY SIGNS THAT ARE** be limited to a period immediately preceding the election of sixty (60) days. **ONE-HUNDRED TWENTY DAYS.**
 - ~~III~~ C. The maximum area of such sign shall be thirty two (32) **SIXTEEN (16)** square feet. **IF PLACED BEHIND A DEDICATED SCENIC CORRIDOR EASEMENT, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.**
- ~~IV~~.B. The maximum height of such sign shall be ten (10) feet.
- ~~V.~~ Such sign may be freestanding.
- ~~VI~~ C. The person, party, or parties responsible for the erection or distribution of any **POLITICAL** signs shall **SUBMIT TO THE CITY A MAP SHOWING ALL SIGN LOCATIONS ALONG WITH CONTACT INFORMATION OF THE PARTY OR PARTIES WHO SHALL** be jointly and severally liable for their removal. ~~of them within ten (10) days after the election to which they refer.~~
- ~~VII~~ D. No **SIGN** permit shall be required for such sign. **AN ENCROACHMENT PERMIT SHALL BE REQUIRED PURSUANT TO SECTION 8.312.III AND SECTION 47-101 OF THE SCOTTSDALE REVISED CODE FOR POLITICAL SIGNS PLACED IN THE RIGHT-OF-WAY.**

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.608. Grand opening signs.

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~~I. Such signs shall contain the words "Grand Opening" only.~~

~~II.A.~~ Such signs may be displayed for a period of calendar days not to exceed ~~ten (10)~~ **THIRTY (30)** days.

~~III.B.~~ The maximum number of grand opening signs for each business shall be one (1) sign.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.609. Menu signs.

~~I.A.~~ A menu sign shall be used to display the published menu and the corresponding prices.

~~II.B.~~ Such sign may indicate if the restaurant is open and list the hours of operation.

~~III.C.~~ The maximum number of such signs for each restaurant shall be one (1) sign.

~~IV.D.~~ The maximum area of such sign shall be four (4) square feet.

~~V.E.~~ Such sign shall be enclosed in a casing attached to the building and extending in depth from the wall not more than two (2) inches.

~~VI.F.~~ Illumination shall be indirect only.

~~VII.G.~~ No permit shall be required for such sign.

H. SIGN MUST BE REMOVED WHEN THE PURPOSE FOR WHICH THE SIGN WAS ERECTED HAS BEEN COMPLETED.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.610. Master developer identification sign.

~~I.A.~~ Such sign shall only indicate the name of the MPC, the name of the entity developing the MPC, and the MPC or developer logo.

~~II.B.~~ The maximum number of such signs for each arterial or major collector street leading to the MPC shall be one (1) sign.

~~III.C.~~ The maximum area of such sign shall be ~~forty-eight (48)~~ **SIXTEEN (16)** square feet. **IF PLACED BEHIND A DEDICATED SCENIC CORRIDOR EASEMENT, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.**

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~~IV.D.~~ The maximum height of such sign shall be ten (10) feet.

~~V.E.~~ Illumination shall **NOT** be **ALLOWED**. ~~indirect only.~~

~~VI.F.~~ Such signs shall not be located at entrances which have permanent MPC entryway signs.

G. SUCH SIGN SHALL NOT BE LOCATED IN ANY RIGHT-OF-WAY.

H. SUCH SIGN SHALL BE LIMITED FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO RENEW THE PERMIT FOR AN ADDITIONAL YEAR BASED UPON THE STATUS OF THE PROJECT AS DETERMINED BY THE CITY OF SCOTTSDALE.

I. SUCH SIGNS MUST BE REMOVED WITHIN TEN (10) DAYS OF COMPLETION OF THE PROJECT.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.611. Information center identification.

~~I.A.~~ [*Generally.*] **INFORMATION CENTER IDENTIFICATION** ~~Such~~ signs are allowed only for an MPC (master planned community) of not less than one hundred sixty (160) acres.

~~II.B.~~ [*Location*] Such sign shall be located on the site of the information center.

~~III.C.~~ *Project Identification.*

A.1. Building wall signs.

~~1.a.~~ Such sign shall identify the project name only.

~~2.b.~~ For any one (1) side of a building the maximum sign area for each one (1) lineal foot of building wall shall be one (1) square foot.

~~3.c.~~ The maximum sign height on a building shall be three (3) stories.

~~4.d.~~ No part of a building wall sign shall extend above a roof line.

~~5.e.~~ Such sign shall be installed with the exposed face of the sign in a plane parallel to the face of the building wall.

~~6.f.~~ No part of such sign shall project from a building wall a distance greater than twelve (12) inches.

~~IV.D.~~ *Freestanding Identification Signs.* There shall be a maximum of one (1) freestanding identification sign per street.

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A.1. *Landscape wall signs.*

- 1.a. Such sign shall identify the project.
- 2.b. The maximum height of such sign shall be five (5) feet.
- 3.c. The maximum individual letter area shall be twelve (12) square feet.
- 4.d. Such sign shall be placed within a landscaped setting of not less than one hundred twenty (120) square feet.
- e. **SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.**

B.2. *Monument signs.*

- 1.a. Such sign shall identify the project.
- 2.b. The maximum height of such sign shall be five (5) feet.
- 3.c. The maximum sign area shall be twelve (12) square feet.
- 4.d. The maximum vertical dimension of the unit shall be four (4) feet.
- 5.e. The maximum horizontal dimension of the unit shall be ten (10) feet.
- 6.f. Such sign shall be placed within a landscaped setting of not less than one hundred twenty (120) square feet.
- g. **SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.**

V.3. *Sum Total Sign Area.* The sum total area of all such signs shall not exceed forty (40) square feet.

4. **SUCH SIGN SHALL BE LIMITED FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO RENEW THE PERMIT FOR AN ADDITIONAL YEAR BASED UPON THE STATUS OF THE PROJECT AS DETERMINED BY THE CITY OF SCOTTSDALE.**

5. **SUCH SIGNS MUST BE REMOVED WITHIN TEN (10) DAYS OF COMPLETION OF THE PROJECT.**

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.612. MASTER PLANNED COMMUNITY (MPC) information center directional signs.

- 1.A. An MPC containing less than six hundred and forty (640) acres shall be allowed ~~a number of such signs not to~~

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~~exceed~~ **NO MORE THAN** ten (10) **MPC INFORMATION CENTER DIRECTIONAL** signs.

~~II.B.~~ An MPC of six hundred and forty (640) or more acres shall be allowed a number of ~~such~~ **MPC INFORMATION CENTER DIRECTIONAL** signs not to exceed twenty (20) signs.

~~III.C.~~ The maximum area of such sign shall be ten (10) square feet.

~~IV.D.~~ The maximum height of such sign shall be three (3) feet.

~~V.E.~~ Illumination shall **NOT** be **ALLOWED**. ~~indirect.~~

~~VI.F.~~ The text contained on such signs shall be limited to:

A. 1. The name of the information center.

B. 2. The direction to the information center.

C. 3. The distance to the information center.

G. SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.

H. SUCH SIGN SHALL BE LIMITED FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO RENEW THE PERMIT FOR AN ADDITIONAL YEAR BASED UPON THE STATUS OF THE PROJECT AS DETERMINED BY THE CITY OF SCOTTSDALE.

I. SUCH SIGNS MUST BE REMOVED WITHIN TEN (10) DAYS OF COMPLETION OF THE PROJECT.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.613. Major MASTER PLANNED COMMUNITY (MPC) information center directional signs.

A. A MAJOR MASTER PLANNED COMMUNITY (MPC) CONTAINS SIX HUNDRED FORTY (640) ACRES OR MORE.

B. MAJOR MPC INFORMATION CENTER DIRECTIONAL SIGNS MUST CONFORM TO THE FOLLOWING REQUIREMENTS:

~~I.1.~~ The maximum number of such signs in each MPC shall be one (1) sign.

~~II.2.~~ The maximum area of such sign shall be ~~twenty (20)~~ **SIXTEEN (16)** square feet. **IF PLACED BEHIND A DEDICATED SCENIC CORRIDOR EASEMENT, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.**

~~III.3.~~ The maximum height of such sign shall be ten (10) feet.

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~~IV.4.~~ Illumination shall **NOT** be **ALLOWED**. ~~indirect.~~

~~V.5.~~ The text contained on such sign shall be limited to:

- ~~A.~~ **a.** The name of the information center.
- ~~B.~~ **b.** The direction to the information center.
- ~~C.~~ **c.** The distance to the information center.

6. SUCH SIGN SHALL NOT BE LOCATED IN ANY RIGHT-OF-WAY.

7. SUCH SIGN SHALL BE LIMITED FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO RENEW THE PERMIT FOR AN ADDITIONAL YEAR BASED UPON THE STATUS OF THE PROJECT AS DETERMINED BY THE CITY OF SCOTTSDALE.

8 SUCH SIGNS MUST BE REMOVED WITHIN TEN (10) DAYS OF COMPLETION OF THE PROJECT.

(Ord. No. 2260, § 2, 7-18-89)

Sec. 8.614. Window signs.

~~I.A.~~ TEMPORARY Signs on or inside the windows of a commercial establishment are permitted, but no signs are permitted in unglazed openings.

~~II.B.~~ The area of such signs shall not be deducted (except as allowed in section 8.417) from the total sign area allowed but the total of all window signs shall not exceed the total sign area allowed for the use.

~~III.C.~~ No more than twenty-five (25) percent of any window pane that is more than three (3) feet in any dimension may be used for such signs.

(Ord. No. 2260, § 2, 7-18-89; Ord. No. 2278, 2-20-90)

Sec. 8.615. Master planned community off-premise directional signs.

~~I.A.~~ MPC off-premise directional signs are allowed as follows:

~~A.1.~~ The maximum number of such signs for each MPC shall be ~~.....~~ **TWO (2) signs.**

~~B.2.~~ The maximum number of signs allowed per mile or where there is a change of direction shall be ~~.....~~ **ONE (1) sign.**

~~C.3.~~ The maximum area of such sign shall be ~~....~~ ~~(48)~~ **SIXTEEN (16) square feet. IF PLACED BEHIND A DEDICATED SCENIC CORRIDOR EASEMENT, SUCH SIGN SHALL NOT EXCEED THIRTY-TWO (32) SQUARE FEET.**

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- D.4. The maximum height of such sign shall be ~~.....~~ (10) feet.
- E.5. Illumination shall **NOT** be **ALLOWED**. ~~indirect only~~.
- F.6. Such signs shall be removed within ~~five (5)~~ **ONE (1)** year from date of permit issuance.
- G.7. The text contained upon such sign shall be limited to:
- 1.a. The recorded name of the master planned community.
 - 2.b. The direction to the master planned community.
 - 3.c. The distance to the master planned community.
- H.8. No sign shall be located within one hundred (100) feet of any residence.
- 9. SUCH SIGN SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY.**
(Ord. No. 2278, 2-20-90)

CITIZEN REVIEW REPORT
Text Amendment – Sign Ordinance Update
Case 7-TA-2002

I. Public Notice

- A. On January 6, 2003 the letter attached as Exhibit A was e-mailed to about 360 people on the City's Customer Contact Lists. The list included the Coalition of Pinnacle Peak and the Northeast Scottsdale Property Owners Association.
- B. The 1/8 page advertisement attached as Exhibit B was published in the Arizona Republic on January 7, 2003 and Scottsdale Tribune on January 4, 2003.
- C. The three neighborhood open house meetings were held on January 14, 2003 at Legend Trail Community Center, 34575 N. Legend Trail Parkway, January 15, 2003 at La Mirada Desert Park Community Center, 8950 E. Pinnacle Peak Road, and January 22, 2003 at the One Civic Center building, 7447 E. Indian School Road.
- D. The draft ordinance was posted on the City's web site on April 8, 2003 and also e-mailed to about 360 people on the City's Customer Contact Lists.

II. Public Input

- A. Public input was received primarily through the Open House Meetings. Sign-in sheets were provided at each meeting with approximately 65 people attending the Open Houses. Comment cards were also provided at the meeting where anyone wishing to provide written comments could do so. Exhibit C provides a summary of the comments cards submitted to staff and a list of attendees.

In addition to the Open House Meetings described above, comments were later received from other interested parties see attached Exhibit D.

- The Friends of the Scenic Corridor submitted their proposal for political and development signs. Their proposal significantly reduces the size and height of these signs and attempts to protect the City's Scenic Corridors.
- A law firm suggested on behalf of a development company that the community sign district regulations be amended to allow the Development Review Board the flexibility to increase sign area and height to 25%.
- Another citizen with significant sign industry experience provided language for the purpose section of the sign ordinance which was incorporated. He also provided recommendations to improve the ordinance which went beyond the scope of this ordinance amendment.
- An e-mail was received expressing concern about construction signs and their duration suggesting that such sign be limited in duration and to indicating the land owner or agent.
- Another e-mail was received suggesting that political and development signs need further control as to number, size and location.

Staff has attempted to address these issues in the draft text amendment. Although not limited to the extent desired by some, the size of temporary signs have generally been reduced. The regulations have also been modified by addressing temporary signs as two categories, temporary and semi-permanent signs. The amendment considers concerns of the business community by providing additional flexibility for building wall sign placement, creating a new mid-size monument sign, allowing additional automobile manufacturer identification, and increasing some flexibility in the Community Sign District program.

Additional DRB Flexibility

- Ordinance works well for most applications
- Additional flexibility is desired to :
 - Provide relief from the strict application of the sign code
 - Improve aesthetics of signs & architecture
 - Improve design of site

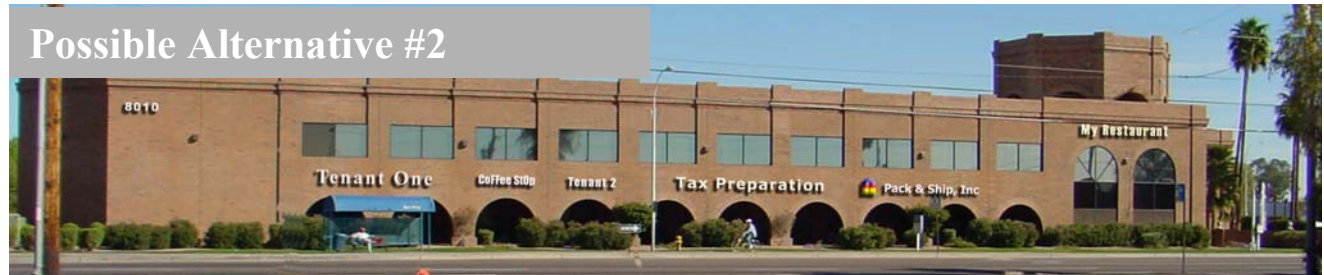
Example of ordinance allowance



Possible Alternative #1



Possible Alternative #2



Temporary Signs

Existing temporary sign conditions



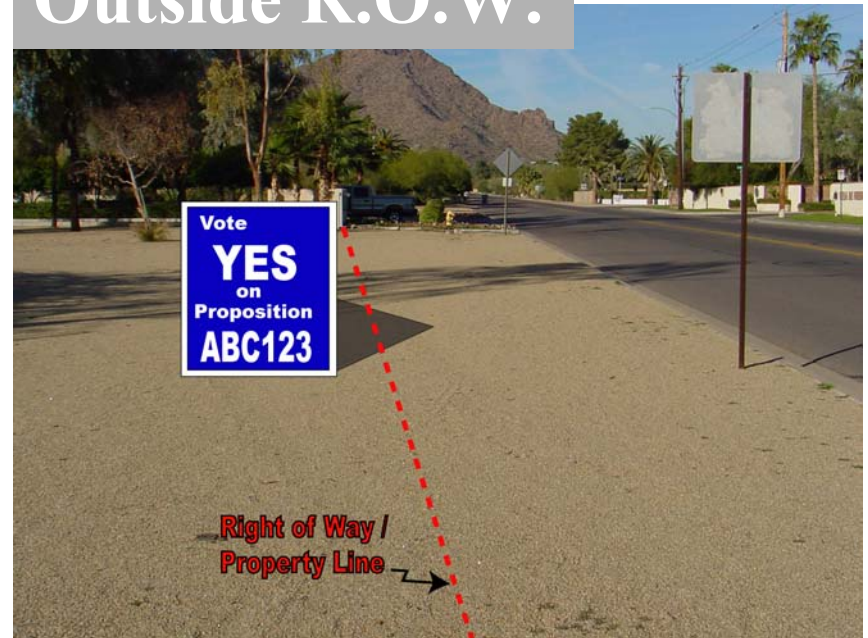
Temporary Signs

- Placement

In R.O.W.



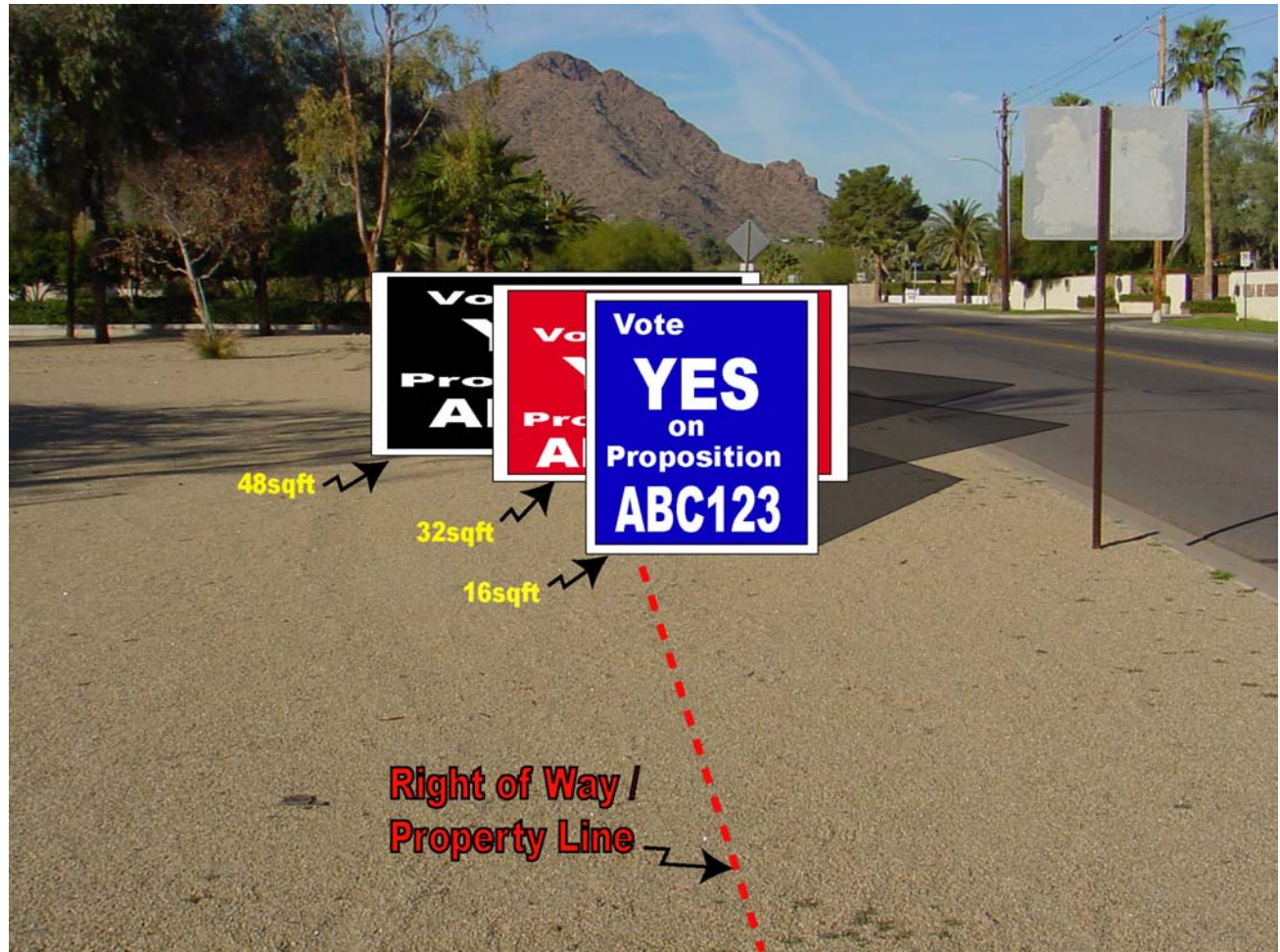
Outside R.O.W.



Temporary Signs

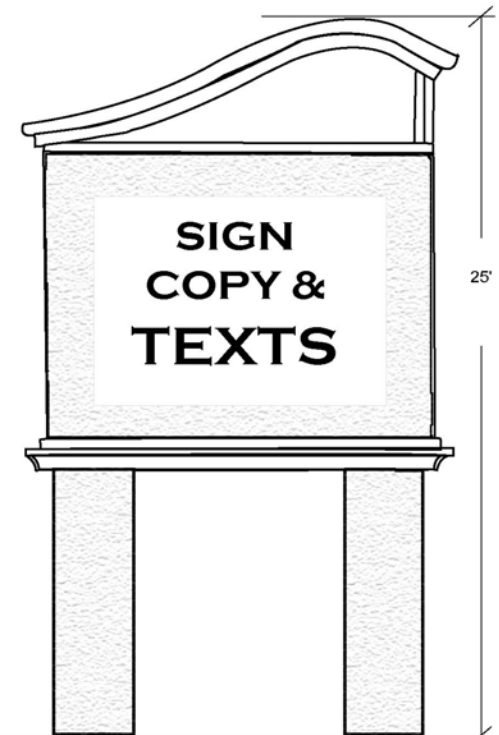
- Size

- Current Size
 - 48 sq. ft. maximum
- Alternative Sizes
 - 32 sq. ft.
 - 16 sq. ft.



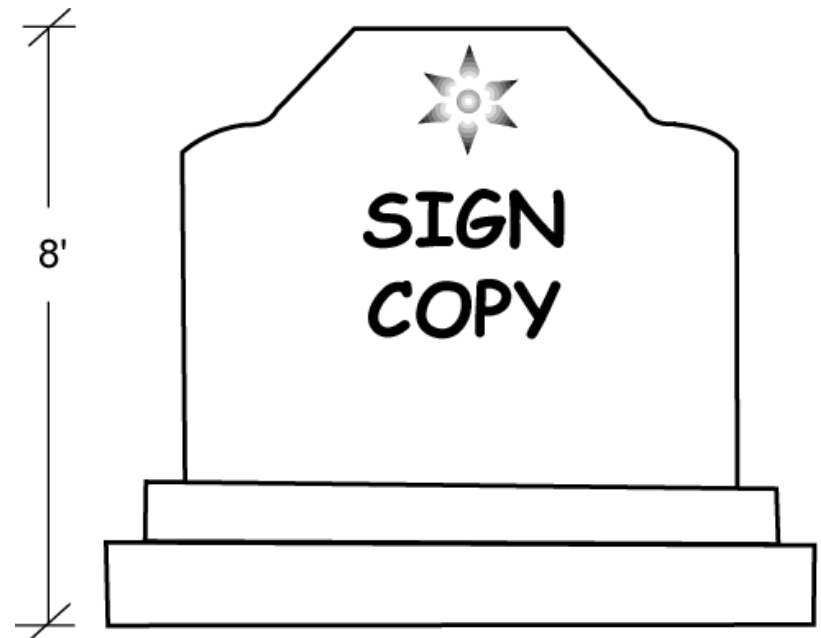
Freestanding Signs

- Existing code allows:
 - Multi tenant center
 - under 30,000 sq ft
 - 5ft. monument sign
 - 30,000 – 60,000 sq ft
 - 15 ft. tower sign
 - 60,000 – 100,000 sq ft
 - 20 ft. tower sign
 - 100,000 sq ft & up
 - 25 ft. tower sign



Freestanding Signs

- Proposed amendment:
 - A 8 ft high sign would be permitted where the option of a tower sign is currently allowed.



Freestanding Signs

- Proposal to allow up to 3 tenant names.



Auto Dealer Signage

- Auto dealers are currently allowed one monument sign identifying manufacturer brands.
- Staff is proposing that auto dealers be allowed more than one monument sign per street frontage to identify separate, distinct manufacturer brands.

Current



Proposed

